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THE TIMES

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EDUCATION
Life & Times section
page 7



Flying visit: M Mitterrand and Alija Izetbegovic, right, president of Bosnia, greeting Bosnian militiamen in Sarajevo yesterday

Sanctuary for whales

As Japan, Iceland and Norway prepare to apply for a renewal of commercial whaling at the meeting of the International Whaling Commission opening in Glasgow today, the French have put forward plans for a whale sanctuary in the Antarctic Ocean.

The haven idea could hinder Japan's wish to hunt the 750,000 minke whales in the South Atlantic. Page 5

Drink slip-up

A loophole in the drink-drive laws could mean that at least 100,000 drivers convicted of refusing to give police a breath specimen in the past 20 years could have their convictions quashed. Page 3

Bates' day

Jeremy Bates, the British No. 1 tennis player, below



meets Guy Forger today in the fourth round of the men's singles at Wimbledon. Pages 27, 30

Cancer hope

A cancer drug that has shown dramatic results in treating brain tumours is to be developed by a US drug company after the Cancer Research Campaign negotiated a multi-million pound deal. Page 8

ICI threat

Imperial Chemical Industries will close its £1.5 billion UK chlorine business, which employs 7,000, unless the price charged for electricity is cut. ICI has suffered a 40 per cent rise in power prices. Page 19

INDEX

Births, marriages, deaths	16
Crossword	18
Letters	15
Obituaries	17
Sport	24-30
Weather	18
LIFE & TIMES	
Arts	2, 3
Education	7
Concise Crossword	9
Law Report	8
TV & radio	10



1X

Mitterrand opens way for Sarajevo airlift

FROM TIM JUDAH AND DESSA TREVISAN IN BELGRADE

TWO French air force planes packed with aid were heading for Sarajevo last night hours after a dramatic six-hour visit by President Mitterrand of France appeared to have opened the besieged city's airport for international relief supplies.

Just before he left the Bosnian capital M Mitterrand and his party were forced to take shelter as Serbs and Bosnian forces skirmished around the airport but the president was said not to have been in immediate danger.

M Mitterrand's mission stunned his European Community colleagues who had been with him at their meeting in Lisbon. They were unaware that the 75-year-old had begun the journey to Sarajevo after the talks.

The president flew from the Croatian port of Split to Sarajevo in a French military

helicopter yesterday morning, becoming the first person to land at its airport since the bloody siege began in earnest.

Sarajevo has been surrounded by Bosnian Serb forces for almost three months and hunger is now widespread among its 300,000 inhabitants. The people of Sarajevo, recently convinced that the world had abandoned them to their fate were incredulous and then jubilant as they heard of the president's visit.

Dzelana Pecanin, who watched the French president's convoy of white United Nations armoured personnel carriers rush past her block of flats, said: "I thought it was a lie at first. This is a great gesture. It brings great hope, now we know that this will be soon be over."

M Mitterrand's visit is a personal triumph for Bernard Kouchner, his minister

of health and humanitarian action. M Kouchner, founder of the French medical charity Médecins Sans Frontières and an advocate of intervention in Sarajevo-type situations.

M Mitterrand met Muslim, Croat and Serb leaders in Sarajevo and was greeted with shouts of "Vive La France" in the city centre. "I did not arrive in Sarajevo as a negotiator," the president said. "I arrived to show the world the central point of the problem with humanitarian aid."

M Mitterrand decided to fly to the Bosnian capital as Bosnian Serbs, clearly taking the threat of an international military intervention seriously, had begun moving artillery and tanks away from the airport. Serbian officials said that they were preparing to hand over the airport to UN officials yesterday but Fred

Eckhard, a UN spokesman, said that aid would not be flown in for another 24 hours because it would have to be secured by Canadian troops. The French mission has preempted UN plans.

A western diplomat in Belgrade said last night that the French airlift, due to continue today, could go wrong because Serbs and Bosnian government forces all had weapons around the airport which could be used to shoot down planes. Under a UN-negotiated agreement this equipment was due to be removed before aid was sent in.

US government officials will be outraged by the French stealing the show as they were hoping that television pictures of large American aeroplanes lumbering into Sarajevo packed with aid would boost President Bush's election chances.

On Saturday Boutros Boutros Ghali, the UN secretary-general, praised Serb troops for beginning to withdraw from the airport but accused the mainly Muslim Territorial Defence Force of harrying the Serbs as they pulled out.

M Mitterrand visited Sarajevo 76 years to the day after a Bosnian Serb nationalist had assassinated Archduke Franz Ferdinand in the city sparking the First World War.

The EC summit in Lisbon left open the Community's position on using troops or aircraft to protect a mission to take food and medicine to Sarajevo with or without a ceasefire (George Brock in Lisbon writes). The prime ministers agreed that any action by armed forces grouped under the nine-country Western European Union would have to be taken with UN authority.

Croat advance, page 13
Toslon's finest hour, page 14
Diary, page 14
Leading article, page 15

Major will take tough line on Maastricht

BY SHEILA GUNN AND ROBIN OAKLEY

JOHN Major will embark on a high-risk strategy of staking his reputation, and possibly his political future, on his ability to persuade his wavering MPs to back the Bill ratifying the Maastricht treaty this autumn.

On his return from the weekend's European Community summit in Lisbon, close colleagues dismissed stories suggesting the prime minister would offer his party a "back me or sack me" ultimatum on the Bill.

But they talk of his deep personal commitment to the Maastricht treaty and say he has not ruled out making ratification a vote of confidence issue, although no serious consideration has been given to the idea. He says he has "given his word" and will not break it.

Mr Major is notably taking every opportunity to scotch any notion that he sympathises with the rebels and says scornfully in private that he did not see any election manifestos from Conservative candidates suggesting they did not agree with the government's policy on Europe.

Reporting to MPs today, Mr Major will repeat his priority for pressing ahead with enlargement of the Community and return of powers from Brussels to nation states. But a truer guide to the success of his tougher pro-treaty stance will come on Thursday when the Commons and Lords discuss Britain's agenda for the EC presidency. The debate will demonstrate how deep the "ditch Maastricht" sentiment runs.

Mr Major's determination to stick by Maastricht contrasts with the most outspoken attack yet on the treaty from Baroness Thatcher of Kesteven, his predecessor. Continued on page 18, col 1

Thatcher pledge, page 12
Loose cannon, page 14
Leading article, page 15

Flight into who-knows-what

WHATEVER the motives, it must have been one of the boldest diplomatic gestures of recent times. François Mitterrand, sans flak jacket, flew into the besieged Sarajevo airport to see, as he put it, if he could help to re-link the shattered city to the outside world and to help aid to reach 300,000 besieged and starving residents. Sarajevo residents have little water, bread or electricity, and disease is threatening.

M Mitterrand took off from Split in one of two white armoured French military helicopters bearing official markings, a slightly safer option than the official ten-seat private aircraft in which he had arrived from Lisbon the night before.

At Split airport he shook hands with his pilots, appearing to be wishing them luck on the momentous flight which lay ahead over barren

The president took many risks in making his daring intervention, writes John Holland

white mountains and no-body-knew-what beyond that. An hour later he stepped out on to the tarmac at Sarajevo airport.

The assorted freelance snipers and Serbian artillerymen in the surrounding hills, renowned for their all-night drinking sessions, had either not received word he was coming, or were still asleep.

General Lewis Mackenzie, head of UN peace-keeping forces in Sarajevo and buttoned down in a green flak jacket, greeting the French president with a handshake and a look of wonder on his face. General Mackenzie, who had earlier described the

French leader's journey as impractical, now called him "brave" for making it.

As if to prove the point, the six-hour visit ended with the 75-year-old head of state, now wearing a flak-jacket, taking shelter from a sudden fire-fight across the tarmac.

Two hours before the president flew in, a Mitterrand aide had tried by telephone to seek assurances from General Mackenzie that it was safe to land on the airport runway. That call apparently led the president to decide to leave his plane in Split in favour of a military helicopter, which could land in widely varying circumstances and terrain.

Back in Split, the sun-splashed Croatian port which is nowadays home to tens of thousands of Bosnian and Croatian refugees, locals shook their heads in disbelief. Continued on page 18, col 8

Class war Cinderellas bash Oxford ball

BY MICHAEL HORSNELL

A WAVE of bash-the-rich protests by Class War activists turned the glittering end-of-year balls at University College and New College, Oxford, into revels to be remembered less for the champagne fizz than for the presence of the "fuzz" at the weekend.

Police were called in to break up disturbances which led to the arrest of 27 protesters for various public order offences. They were all given police bail in the early hours of yesterday.

Last night police were on standby for further class-bashing, this time in the city of Bath, where extremists threatened to disrupt the huge open air concert by José Carreras after spraying the bandstand and concert box office with less than affectionate messages to opera lovers.

Up to 100 louts waded into revel-

lers as they arrived at the gates of University College for the Shelley Ball in honour of its poet alumnus, spitting, jeering and setting fire to bales of hay behind the college, causing damage to student cars.

One angry undergraduate, aged 20, said: "We can't understand it. Unless someone took a severe dislike to Shelley's poetry there can be no explanation. It is disgusting and most upsetting."

"The balls have got nothing to do with wealth. We save long and hard for our tickets and we just come here to let our hair down with a bit of style at the end of the year."

Two police officers and one protester were treated for minor injuries in clashes after so-called "new age" travellers joined the Class War warriors in the night of arson and mayhem at University College. Meanwhile at New College the front

quad gate had to be shut to prevent demonstrators running amok in the grounds.

Inspector Paul Kimbrey, of Thames Valley police, said of the University College demonstration: "There were numerous complaints of aggravation to patrons of the ball throughout the night, although there is no evidence to suggest that they tried to storm the grounds. It didn't stop the ball going ahead, though some of the students, particularly the girls, were very frightened. The situation was under control by midnight."

The recession has already taken its toll of traditional Oxbridge college of several balls, but all of the 1,300 £75 tickets for the white-tie Shelley Ball were sold.

Menacing slogans such as "Die Rich Scum" were meanwhile sprayed on the bandstand and concert box

office in Royal Victoria Park in Bath. Leaflets were also left on cars urging "travellers", the homeless and "class warriors" to demonstrate at the concert.

The far-left anarchist group claimed that fans had paid more for a ticket than most people get as a week's wages and vowed to disrupt the concert, at which 15,000 were due to turn out to hear Carreras sing in front of the city's Royal Crescent.

Concert organisers, who branded the group's actions as puerile, said that private security and policing arrangements were sufficient to combat any problems.

The executive producer, Greg Lynn, said that with half the tickets costing £20 prices compared favourably with those charged for rock concerts.

Photograph, page 2

US West Coast hit by quakes

FROM WILLIAM CASH IN LOS ANGELES

CALIFORNIA was put on emergency alert after two severe earthquakes rocked the American West Coast yesterday, and state officials warned residents to brace themselves for a "major earthquake sequence" over the next few days.

The first earthquake jolted Los Angeles residents awake at 4.58am. Measuring 7.4 on the Richter scale, it was the strongest in southern California for 40 years. The 35-second tremor was felt as far away as San Diego, Los Vegas, Phoenix and New Mexico.

With its epicentre 130 miles east of Los Angeles in the small desert town of Joshua Tree, near Palm Springs, there was serious concern that its proximity to the 6.1 earthquake on April 22 could trigger an even more serious natural disaster than the 1989 quake in San Francisco, which measured 7.1 but left 63 dead and billions of dollars in damage because of its proximity to a densely populated area.

The large after-shock — estimated to be between 6.5 and 7 on the Richter scale — shook Los Angeles again at 8.07am. High-rise buildings in the city centre swayed. Roads buckled, and craters appeared in the tarmac.

Steve Bryant, a seismologist at Caltech geological centre, said: "This is a large earthquake and we can expect a lot of damage. So far it's not the big one, but it's a very good test for those who have been waiting for LA to cave in."

Pete Wilson, the California governor, immediately flew to the devastated area, where a boy was killed after a chimney collapsed and more than 50 people were treated in hospital for multiple injuries. President Bush cancelled a game of golf to be briefed on the damage throughout southern California.

There was widespread concern last night that the series of tremors might lead to the earthquake that has been widely prophesied in Los Angeles for many years and may be potentially more devastating than the 1916 San Francisco quake, which occurred before the Richter scale was invented.

Worst quake, page 11

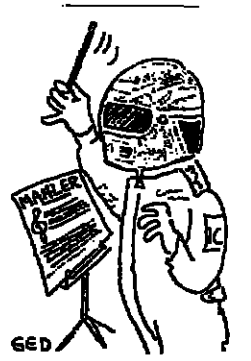
TODAY IN THE TIMES

TOP BRAND BRITISH



British shoppers live and buy by the brand name, but it is all in the mind. Life & Times Page 1

TOP SPEED SCORER



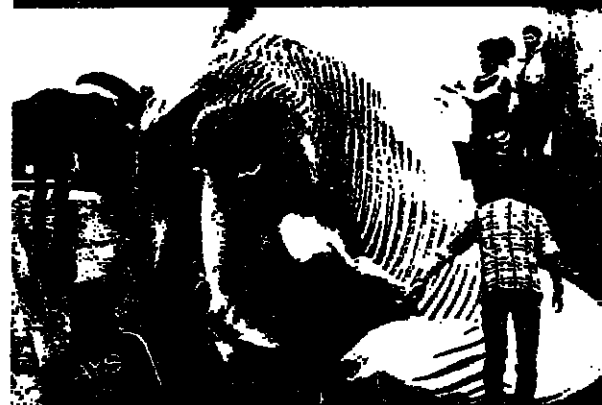
A Mahler maestro says the famed Adagietto is played far too slowly. Life & Times Page 2

TOP OF THE BEACHES



Passport to France unveils the glories of the Atlantic coast. Life & Times Page 5

SEAS OF BLOOD



THE UNTHINKABLE IS ON THE VERGE OF HAPPENING AGAIN

Whaling is brutal and unnecessary — driven only by man's greed for profit. Yet this week in Glasgow, the whaling nations, Norway, Japan and Iceland will be pressing for the mass slaughter of whales to resume. Only six years ago commercial whaling ceased, just as many species were on the brink of extinction.

HELP US TO PREVENT A TRAGEDY NOW

The Whale and Dolphin Conservation Society is the only charity whose sole aim is the conservation of whales and dolphins. We need to continue putting pressure on the whalers. Only with your help will we be able to secure a safe future for these magnificent, gentle creatures.

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WHALE AND DOLPHIN CONSERVATION SOCIETY

Major rules out return to selective education

By JOHN O'LEARY, EDUCATION CORRESPONDENT

JOHN Major has toned down his criticism of comprehensive schooling and ruled out a national return to selective education in a letter published today.

The clarification of government education policy comes in the latest stage of a lengthy correspondence with Fred Jarvis, former general secretary of the National Union of Teachers. Ministers are keen to remove selection as an issue before the publication of next month's White Paper on education.

In a letter to Mr Jarvis last February, Mr Major seemed to support a return to a grammar school system. He wrote then: "The problem of low standards stems in large part from the nature of the comprehensive system which the Labour party ushered in in the 1960s, and the intellectual climate underpinning it that has tended to stress equality of outcome at the expense of equality of opportunity."

Challenged by Mr Jarvis to justify this view, the prime minister replied last week that he had not meant to criticise comprehensive schools. "In fact, my earlier

letter pointed to the nature of the ideas and to the intellectual climate in some of the left-wing authorities that have directed or influenced our schools. It is those ideas that I am determined to root out — and I am bound to say that I have been struck by the weight of support for my stand from both parents and teachers."

Mr Major said he wanted good schools for all children, including comprehensive and grammar schools, with parental choice a key determinant of policy. That was why opting out had been introduced with the freedom to enlarge schools, alter their character or specialise.

The prime minister denied the charge made by Mr Jarvis in a previous letter that he was "not serious" about addressing the problems of the worst performing schools. Many such schools were to be found in Labour authorities, he said, and the White Paper would make proposals to tackle them.

Mr Jarvis said yesterday that the prime minister had retreated from his original position on comprehensives but had left many questions unanswered, notably on selection. The criteria for the reintroduction of grammar schools and their effect on neighbouring schools had not been addressed.

In a response delivered to Downing Street on Saturday, Mr Jarvis said: "Clearly, in February you were indulging in a blanket condemnation of comprehensive education to which comprehensive schools were entitled to take exception, and many of them did. And as I, and many independent commentators, have pointed out, your attempt to link your criticism of comprehensive education exclusively with the Labour party ignores the fact that it also has many Conservative supporters."

Appealing for wide-ranging consultation on state education, Mr Jarvis added: "I accept that you have made it clear that you want the best for every child and the best from every child. That is an aim I certainly share. The crucial question is not whether one subscribes to the aim but what policies are needed to achieve it. I believe many of your government's policies actually militate against that objective."

Education Times
L&T section, page 7



Dance macabre: members of Class War protest against Oxford University's "decadent" Shelley Ball yesterday, under the slogan "Kick in the balls: attack the rulers of tomorrow today". Full story, page 1

MacGregor holds out for private Jubilee line rescue

By MICHAEL DYNES, TRANSPORT CORRESPONDENT

CANCELLATION of the proposed £1.7 billion Jubilee line extension could be avoided if the construction companies bidding for elements of the scheme joined together to put up the missing private sector funding themselves, it was claimed yesterday.

A contractor-led rescue, which is being canvassed by transport analysts, would enable the construction companies to raise sufficient capital to get the scheme started in exchange for a percentage of the revenue once the line became operational.

Private sector companies have applied a similar principle to construction projects in the past. The Queen Elizabeth II bridge at Dartford in Kent was built with private sector capital, and the proposed extension of the Docklands light railway to Lewisham in southeast London is to be built with private sector funds. Some analysts believe that there is no reason why the same principle could not be applied to the Jubilee line project.

Efforts to save the Jubilee line scheme, which would run from Green Park to Stratford via Canary Wharf in Docklands, can be expected to intensify in the coming weeks. Some observers fear that unless the missing private sector contribution is raised by July

31, the line may never be built. The 400 staff that London Underground has assigned to the project are expected to run out of work in four to five weeks. Many will have to be made redundant unless the scheme goes ahead as planned. Some officials insist that the government could not allow the project to collapse after the investment of so much time and money in the scheme.

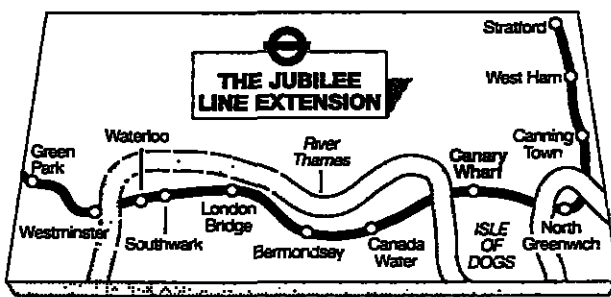
The extension was first thrown into doubt in March when Olympia & York, the Canary Wharf developer, failed to pay the first £40 million instalment of an agreed £400 million contribution towards the cost of the new line. Fears were compounded in May when the Canary Wharf development was put into administrative receivership.

John MacGregor, the transport secretary, has in-

sisted that work will not start on the scheme until another private sector interest has assumed Olympia & York's liability for the project. Under the original deal the developer was to have provided £40 million in March 1992, £60 million in March 1993, and £300 million over a 25-year period.

"We need £100 million in cash during the construction period," Mr MacGregor said. "That is what was promised, and no public funds are available in replacement."

Engineers now fear that a failure to press ahead with the Jubilee line project could damage Britain's international reputation and lead to contractors refusing to submit bids for other large-scale construction schemes, such as the CrossRail project between Paddington and Liverpool Street and the Channel tunnel link between Folkestone and London.



Kinnock foresaw election defeat

By SHEILA GUNN, POLITICAL CORRESPONDENT

NEIL Kinnock instinctively felt four days before polling day that he would not become prime minister, he disclosed yesterday.

On TV-Am's *Frost on Sunday*, Mr Kinnock said: "From the Sunday, I had my doubts. Of course, in the last final heat of battle you couldn't afford to show them." He had confided in Glenys, his wife, on the Monday night that he did not think that Labour was going to make it.

Mr Kinnock added: "We have both been political campaigners for the best part of 35 years and have got an instinct about these things. That, together with some polling evidence showing a slipping trend in crucial parts of the electorate, did give us a kind of reversal of possibility that we might not form the government."

He cited deeply rooted mistrust of Labour by a small section of the electorate, because of the legacy of the winter of discontent in the dying days of the Callaghan government, together with the years of internal party conflict in the early 1980s, as the key causes for the defeat. He regretted that more could not have been done during the election campaign to dispel Conservative "lies" that John Smith's budget would cost all taxpayers £1,250 a year more.

"If we had been more able to put our alternative, first of all we would have undermined that lie, and secondly people would have got a much clearer perception of the general moderation, restraint, but also the great usefulness of the tax changes we were going to make."

Mr Kinnock believed that if Margaret Thatcher had still led the Conservatives Labour would have won. The electors believed that in voting Conservative under John Major they were voting for a different government.

Although he has steered clear of publicly endorsing either John Smith or Bryan Gould as the next Labour leader, he predicted a strengthening of democracy within the party by the reduction of the union block vote.

NEWS IN BRIEF

Seven recovering after bombing

Four men and three women were still in hospital yesterday after Saturday's bomb attack on an armoured police car in the centre of Belfast. None was in a serious condition. Twenty-one people, including two policemen, were injured in the attack in which a man attached a bomb to the roof of the car with a magnet in a busy shopping street before fleeing.

A booby-trap bomb found under a car belonging to a member of the security forces was defused in Ulster yesterday. The device, containing one and a half pounds of Semtex, was made safe in a controlled explosion at Barranderry Heights, Enniskillen. Twenty families were evacuated from their homes.

Army experts defused two mortar bombs found in a van in Lisnakea, co. Fermanagh. They also dealt with an incendiary device in an abandoned car.

Lemonade lands navy cadets in hospital

Five Royal Navy cadets were taken to hospital suffering from dehydration at the weekend as the hot, sultry weather continued. Temperatures rose to 28°C (82°F) and may be a degree or two higher today before thunderstorms sweep in tonight or tomorrow. The cadets, on a training course in Portsmouth, were told to drink plenty of water while sailing in the harbour. Instead, they drank lemonade and complained of feeling unwell after sleeping below decks aboard HMS Kent. Lieutenant Commander Bernard Harper said that the four girls and a boy aged 13 to 17 "appeared to have ignored advice to drink plenty of fresh water. As a result they suffered mild dehydration."

A 59-year-old woman died in hospital after collapsing from a heart attack at Lulworth Cove on the Dorset coast yesterday. She was taken by a helicopter to Weymouth Hospital, in Dorset. Richard Kavanagh, five, crawled into a shady hole in his garden wall at his home and became stuck 'fast' in a five-inch gap. Firemen had to demolish the wall brick-by-brick to rescue him. The Courage Northern brewery is launching a weather forecasting service to help licensees stock up with beer for hot spells. Weather, page 18

Surgery assault alleged

The Crown Prosecution Service is considering assault charges against a surgeon after he allegedly removed a woman's womb and ovaries without her consent, it was confirmed yesterday. The woman, aged 51, complained to police after she was admitted to St Thomas Hospital, south London, last April for an operation on the membrane lining the uterus — an endometrial resection. The woman claimed that after the operation she was told the surgeon had performed a hysterectomy and removed her ovaries. Scotland Yard confirmed that the woman, who has not been named, had lodged a complaint of assault, alleging that she had not given her permission for the hysterectomy. St Thomas Hospital today issued a statement saying that it supported both the patient's right to question a clinical decision and the surgeon's right to take such decisions during an operation. The hospital said that a woman would be unable to have children after an endometrial resection.

Lilley agrees payout

Over 4,000 Maxwell pensioners are to receive immediate government help. Peter Lilley, the social security secretary, said that 4,000 pensioners of Maxwell Communications and 240 from the Headington scheme will be paid from the £2.5 million emergency fund set up three weeks ago. More than three quarters of MPs support the removal of pensions fund control from companies in the wake of the Maxwell scandal, according to a survey published yesterday. Of 100 MPs who took part in the Access Opinions survey, 68 per cent also believed companies should be banned from taking pension holidays when the fund is in surplus. A majority said the Treasury should ensure that full pensions were paid to those who were badly hit by the Maxwell affair, if necessary with money from state funds. Letters, page 15

Love in a cold climate

A Scottish professor has been given grants totalling almost £20,000 to study how the people of the Western Isles used to conduct their love lives. His research, which spans the period from 1855 to 1984, will seek to establish how marriage and reproductive patterns have changed over the years. Professor John Clegg, of Aberdeen University, said: "It is an unusual society in that it still has the crofting economy which has disappeared from most of the rest of Scotland. It is also dominated by the fishing way of life which has a culture all of its own." One islander suggested that as the council had lost £23 million in the BCCI collapse, the money could be better spent. The money for the research is being provided by the Economic and Social Research Council and the Leverhulme Trust.

Ward verdict expected

A verdict is expected today on two men accused of the killing in 1988 of Julie Ward, right. Peter Meulie Kipeen, 26, and Jonah Tajeu, 28, Magirol, 28, rangers in the Massai Mara reserve are expected to go free. John Ward, Julie's father, from Bury St Edmunds, spent two years proving that his daughter had been murdered. The lay assessors have given not-guilty verdicts. The judge is today expected to agree.



Skippers hunt for nets

Cornish fishermen spent much of yesterday searching for the nets that they lost last week off the Isles of Scilly when French trawlers sailed through their lines. As they searched, about 20 miles off the islands, they kept a close watch on French trawlers that have returned to the area after last week's flare-up when one was boarded by the Royal Navy. The netter *St Uny* was back in Newlyn, Cornwall, where its skipper Mervyn Smithers said that he had found only one and a half out of 150 nets — and that they were ripped to shreds. "It was like looking for a needle in a haystack out there," Mr Smithers said. He estimates that he has lost nets worth £7,500. Two other Newlyn netters, the *Sandia Louise* and *Britannia IV*, were out at sea yesterday trying to find their lost nets.

NUM fights sell-off

The main miners' union is maintaining its opposition to the privatisation of British Coal in the face of increasing calls for worker involvement in the sell-off. The issue will dominate the National Union of Mineworkers' annual conference, which opens in Scarborough today, as the bill paving the way for privatisation completes its passage through the Commons. Ken Capstick, vice chairman of the Yorkshire area of the NUM, said: "I don't believe we should abandon our opposition to privatisation just because the government is going ahead with its crazy policy."

Trust to reopen house inspired by the San Vitale basilica



Spectacular view: the house is known for interior decorations such as a frieze made of feathers

A la Ronde, the 16-sided house near Exmouth in Devon, will re-open to the public on Wednesday after extensive repairs and renovation. The house was built in 1798 by two unmarried cousins, Jane and Mary Parmenter, after their return from a grand tour of Europe. It is said to have been inspired by the octagonal basilica of San Vitale at Ravenna, in Italy.

After a succession of owners, it was bought with ten acres of grounds by the National Trust in January last year. One of the trust's main concerns was to prevent further house building which threatened the house's setting and spectacular views of the Exe estuary.

At the time it was built, Exmouth was fashionable

The public is being invited to visit A la Ronde, a 16-sided house above the Exe estuary, John Young writes

and residents included Lady Byron, Lady Nelson and the poet George Crabbe. The site chosen was on a hill about two miles outside the town and Jane Parmenter is said to have designed it herself, although she might have had help from John Lower, one of the architects of Georgian Bath.

Originally it had a thatched roof, but that was replaced with tiles in Victorian times when nine dormer windows were added. It is particularly noted for its unusual internal decorations, including a frieze made from feathers and, at

the top of the central octagon, a gallery decorated with thousands of shells.

The house contains many other unusual paintings and decorations, including pictures made from cut paper. The architectural historian John Cornforth described it as the most remarkable demonstration of ladies' arts of the Georgian period.

During the past winter more than £200,000 has been spent on rewiring, a new heating system, drainage, damp-proofing, remedial work on the windows and landscaping. John Rolfe, the house's custodian, said that

investigations had revealed extensive rot in mainbeams under the ground floor. During the repairs the furniture and pictures have been kept in atmospherically-controlled stores and the frieze and shells protected from accidental damage by masking tape.

An appeal for £500,000 was launched in April last year and has raised £322,000. Francis Byng, the fund-raising manager, said that restoration would take several more years.

One question is whether to redecorate the house entirely or to leave it in the slightly shabby condition with which past occupants would have been more familiar. It will be open from Sundays to Thursdays, 11am to 5.30pm.

Legal loophole puts 100,000 drink-drive convictions at risk

BY MICHAEL HORSNELL

A LOOPHOLE in the drink-drive laws could mean that at least 100,000 drivers convicted of refusing to give a breath specimen to police in the past 20 years could have their convictions quashed at a huge cost to the exchequer.

In a test case two High Court judges have rejected an appeal by the Crown Prosecution Service against the acquittal of a man under the Road Traffic Act because the standard wording of the charge is flawed.

Lord Justice McCowan and Mr Justice Pill ruled in favour of Terry Corkoran, 43, an unemployed man from Merseyside who was acquitted by magistrates at Bootle in January last year.

The ruling comes at an embarrassing time for the government. On Wednesday tough new laws on drunken and dangerous drivers will come into force.

The Corkoran case is under urgent review by Home Office lawyers while the CPS, which has been refused leave to appeal to the House of Lords, considers a petition to the Lords' appellate committee.

tee which could sanction an appeal.

Parliamentary draughtsmen are being blamed for the duplicity involved in the charge which accuses defendants of breaching either one of two sections in the 1972 act involving drink-driving or being drunk in charge.

Mr Corkoran, who was not available for comment, was charged, in the standard way, with "failing without reasonable cause to provide a specimen of breath for analysis in the course of an investigation under section four or section five of the Road Traffic Act".

Such charge sheets do not specify which section and as each action involves different allegations carrying a variety of penalties, the prosecution falls between two stools.

Sean Sexton, Mr Corkoran's solicitor, who spotted the loophole, said: "The charge for refusing a specimen of breath should specify in what circumstances the refusal took place. The reason is that if the police say 'You were driving a car or attempting to drive and you refused to give a specimen' you have to be disqualified for a minimum 12 months. If, on the other hand, they allege 'You were drunk in charge of a car and refused a specimen', disqualification is discretionary."

"What is new about this particular case is that we have persuaded the High Court that they are two different offences. We have got the court to go further and say 'You can't therefore lug the two together in one charge because that is duplicitous'. A

court should not hear such a case."

Mr Sexton added: "The consequences, we do not know. But my view is that none of those charges since the 1972 act should ever have been heard and many people are entitled to have their convictions quashed, and their fines and costs refunded. It could go beyond that. If people have lost their licences and should not have, they should be entitled to compensation for that and for loss of job and increased insurance premiums. The implications are potentially highly significant."

"We are talking about a pure technicality. These people are lucky. But it is up to the prosecution to get the charge right and they have not done so."

Since 1972 between 5,000 and 8,000 people a year have been convicted of failing to provide a breath specimen at a police station.

A spokesman for the CPS said: "We have asked for a transcript of the appeal decision and we shall be studying it. We have 14 days in which to decide whether to petition the appellate committee. We cannot comment on the ramifications of this case."

The Home Office said: "We are taking this case very seriously and will be looking into the implications should it be proved that the wording of the charge is flawed."

The Road Traffic Act taking effect from Wednesday includes new offences of dangerous driving and causing death by dangerous driving.

Extended driving tests for people convicted of dangerous driving, rehabilitation courses for drink-drivers and possible disqualification after just two speeding offences are among its provisions.

Motorists convicted of causing death by dangerous driving could face five years jail and a minimum of two years disqualification. The dangerous driving offences replace the existing offences of reckless driving and are based more on an objective standard of driving and less on the driver's state of mind. It is thought this will make it easier to secure convictions.



Lord McCowan: found charge was flawed

Shops defy Law Lords' ruling

BY ROBIN YOUNG

SUPERMARKETS and DIY stores are defying the Law Lords' ruling that councils can seek injunctions against Sunday opening without risking bills for traders' lost profits.

B & Q, which has spearheaded the fight for seven-day trading, reported "business as usual" at 230 stores in England and Wales. Tesco, which had 220 stores open "by public demand", said that in the hot weather trade was especially brisk for barbecue items and soft drinks. Sainsbury's said the company was keeping to its strategy of opening nearly 400 stores every Sunday, attracting some 750,000 shoppers.

Roy Edey, a campaigner against Sunday trading, said he was calling on Lord Sainsbury, as chairman of Sainsbury's, to issue a directive that his stores would immediately stop "unlawful" Sunday trading as a result of the Law Lords' judgment.

Mr Edey, a retired solicitor from northwest London who has fought a number of court actions over the issue, said: "Lord Sainsbury, as a legislator and recently appointed Knight of the Garter, has a duty to set an example."

The Law Lords ruled last week that councils in England and Wales could seek injunctions against Sunday traders without having to underwrite any lost profits if seven-day trading is eventually allowed under European law. The responsibility for meeting the bills for aborted injunctions could be shifted to the government if the European Court decides that Britain's shops acts are inconsistent with the Treaty of Rome.

Andrew Hunter, Conservative MP for Basingstoke, said he hoped councils had been out in force trying to catch shops that were defying the law by opening. However, there were no reports of injunctions being sought.

Restorers uncover medieval painting

BY SARAH JANE CHECKLAND
ART MARKET CORRESPONDENT

A MEDIEVAL wall painting cycle has been discovered hidden under 750 years of grime at Chester Castle.

"It could be the most important wall painting discovery for 20 years," said David Park, head of the conservation of wall paintings at the Courtauld Institute in London. Four of his students have been working with English Heritage restorers on the vaults and walls of the Chapel of St Mary de Castro in the castle. "Under the completely white veil we have discovered some stunning paintings," said Caroline Babbington, of English Heritage. The paintings include the Visitation and the Infancy of Christ, as well as exquisite half-length angels and medallions.

Only a fragment remains of the most lively scene of all: the Miracle of Theophilus. It tells of a priest of that name who sells his soul to the Devil in

exchange for a bond (represented by a scroll). In fear of his future, Theophilus appeals to the Virgin, who arranges for him to get it back. Originally, according to an 1810 engraving, the image had depicted the moment when the Virgin returns his soul to him in the form of a bond, while the Devil attempts in vain to snatch it back. Now all that can be seen, despite cleaning work, is the Devil's shaggy horn.

Miss Babbington believes the paintings result from two specific hands, one elegant and conventional for that time, the other "forward-looking, Gothic". The whole ensemble, she says, has "the quality of a miniature, uncorrupted by later repainting". The paintings were probably commissioned by Henry III during the 1230s at the time when he took over the castle from the Earls of Chester.



Riding the rapids: competitors in the spectacular Lovat Water Ride cross the Beauly near Inverness yesterday. The 50-mile course takes the horses over some of the roughest but most beautiful terrain in the Highlands

Complaint over music leads to siege

BY ROSEMARY SMITH

A COMPLAINT by a neighbour about loud music led to an armed siege by police yesterday at a house on the estate at the centre of last year's Tyneside riots.

Police last night rejected accusations of victimisation and over-reaction from relatives after a man who had allegedly been seen holding a gun was arrested without injury. Police cars and vans, along with armed officers and dogs, surrounded the house on the Meadow Well estate at 8.00am yesterday. A police helicopter circled overhead.

Police believed Alan Denley, 28, was armed but angry relatives denied that and said the police response was another example of victimisation on the estate following the riots. As police marksmen surrounded the house Mr Denley's girlfriend Gillian Stewart and her three children, Paul, 6, Carl, 3, and Clare, eight months, left the house.

Police allowed Mr Denley's aunt to speak to him and shortly after midday he walked out of the house hands above his head and was arrested.

The family said: "This is another example of the kind of police victimisation people on the estate are having to live with. This was a row about playing soul music yet police have turned out with a helicopter, guns and dogs."

Supt Al Tait, the officer in charge of the operation, last night backed his officers. He said two uniformed officers saw a man waving a gun in his garden and he had no option but to bring in armed police. The fact that it was the Meadow Well estate made no difference to his handling of the operation.

"The response would have been exactly the same anywhere. The fact that it was the Meadow Well had nothing to do with it," Mr Tait said.

"When you consider this man was seen by police with a gun I do not think we over-reacted. I am really happy that the matter has been resolved quietly without injury to anyone."

New arts centre proposed

BY SIMON TAIT, ARTS CORRESPONDENT

A SCHEME to create a centre for the performing arts in London, funded from lottery proceeds, as a monument to the millennium, has been put to John Major. It is proposed to replace both the £250 million Covent Garden development and a suggestion for a new opera house on the South Bank.

Denis Vaughan, a musical conductor who is executive director of the Lottery Promotion Company but who wrote to the prime minister and David Mellor, the heritage secretary, as a private individual, has posed a scheme involving the restoration and up-grading of facilities in five existing West End buildings, plus a new one.

The proposal is costed at £190 million to purchase the buildings not already in national possession and restore them, as well as building a chamber opera theatre.

The Royal Opera House would be restored and modernised to give better acoustics, backstage facilities, storage space and front of house services at a cost of £45 million.

□ The Theatre Royal, Drury Lane, would be bought from Stoll Moss Theatres for ballet and opera at a cost of £40 million.

□ The Lyceum Theatre, in the Strand, almost derelict now, is owned by the Theatres Trust and leased to Brent Walker. Its lease would be bought to restore it as a dance house or a lyric theatre devoted to nineteenth century opera for £30 million.

□ The Coliseum, in St Martin's Lane, which the government gave English National Opera £10.8 million to buy from Stoll Moss three months ago, with the remaining £2 million of the price coming from the Foundation for Sport and the Arts: £15 million would be spent on refurbishment.

□ Kingsway Hall in Kingsway, a recording and rehearsal studio that was gutted by fire two years ago, could be acquired and re-

stored for £10 million. The new £50 million building, on the site in Russell Street next to the Royal Opera House, would be a chamber opera theatre designed on the lines of the Benjamin Britten theatre built at the Royal College of Music two years ago.

It would complement all the other theatres in the group with rehearsal stages, an opera studio, a centre of ancient music and another for contemporary music, and provide a purpose-built area for the Theatre Museum, currently across Russell Street in the former flower market, which would expand its operations to become a public information centre for West End performances, as well as a custodian of the theatre archive.

An exhibition on the Covent Garden development scheme is to open in the Theatre Museum on July 4, and a public appeal for £90 million towards the £250 million costs is to be launched in the autumn.

THE WEEK AHEAD

Today: International Whaling Commission expected to endorse controlled hunting. Appeal Court judges decide whether 16 year old girl should be forced to have treatment for anorexia.

Tomorrow: Eight new traffic offences become law. Merger of Ulster Defence Regiment and Irish Rangers. Royal College of Physicians publishes report on smoking.

Wednesday: Britain starts six month EC presidency. Local Government Commission begins to oversee major local government reorganisation. Transport Department publishes report into sinking of Antares.

Thursday: UN Secretary General Boutros-Ghali begins two day visit to London. Sir David Walker's report into insider dealing at Lloyd's is published.

Saturday: Chris Patten gives news conference before becoming Governor of Hong Kong on July 9.

How to sound convincing over the phone.



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Champagne tumbles to £8 a bottle

IS THIS the time to stock up with champagne for Christmas? The answer would seem to be yes. Last week Tesco was advertising its offer of champagne at £7.99 a bottle, undercutting Sainsbury's May "champagne coup", which offered 10,000 cases of Champagne Beauchateau at £8.45.

Other supermarkets are likely to try to obtain supplies to compete with Tesco. Sainsbury's lowest price is £8.99, but the supermarket was recently promoting the same champagne in stores at £7.99 as a special offer.

The bargain champagnes are sold under little known names, usually those of small producers or sous-marchés of co-operatives and larger houses. The supermarkets' own-brands, which have to be regularly sourced in large quantities, are no longer likely to be the cheapest available.

Only last year it was thought that champagne

Against predictions that champagne would go the way of everything else, the supermarkets are offering bargains. Robin Young says it's the time to buy

prices were likely to rise as the result of new arrangements between the champagne houses and the grape farmers. Instead, an international collapse in demand has left smaller producers with excess stocks, which have to be sold at reduced prices to supermarkets to keep some cash coming in. The Champagne Bureau, which represents the industry in London, has reported that just over three million bottles were shipped to the United Kingdom by the end of May, a further reduction of about one fifth on already depressed figures for 1991. Shipments to the UK fell by 34 per cent last year, and there was a 10 per cent drop overall in the top ten export markets for champagne.

Perry Bool, of the Champagne Bureau, said yesterday: "I do not remember seeing champagne at £8 a bottle for four years. Supermarkets have been able to take advantage of the fact that some producers have a tremendous stock of wine. From the consumer's point of view, it is excellent news." The cheap champagne does not, in the opinion of connoisseurs, bear comparison with wine from the grandes marques, which still command prices of about £14 to £18 a bottle for their non-vintage wines. That said, most wine experts admit that it would be a sophisticated palate that could consistently tell the difference in a blind tasting. The bargain bottles do not

come from the best production areas, and are likely to contain a high proportion of the Pinot Meunier grape and little, if any, of the nobler Pinot Noir or Chardonnay. The wines may also have been produced by the quickest methods permissible within the appellation contrôlée regulations, and may benefit from a little additional bottle ageing to round off an edge of "greenness".

That said, the only reason for champagne drinkers not to buy bargain reserves now for the festive season, when prices usually rise to benefit from increased demand, would be if they are planning a trip to France this summer. In leading hypermarkets there, champagne is even cheaper, and the lowest price, which earlier this year was about 67 francs, has now fallen to 52.50, or little more than a fiver.

Leading article, page 15

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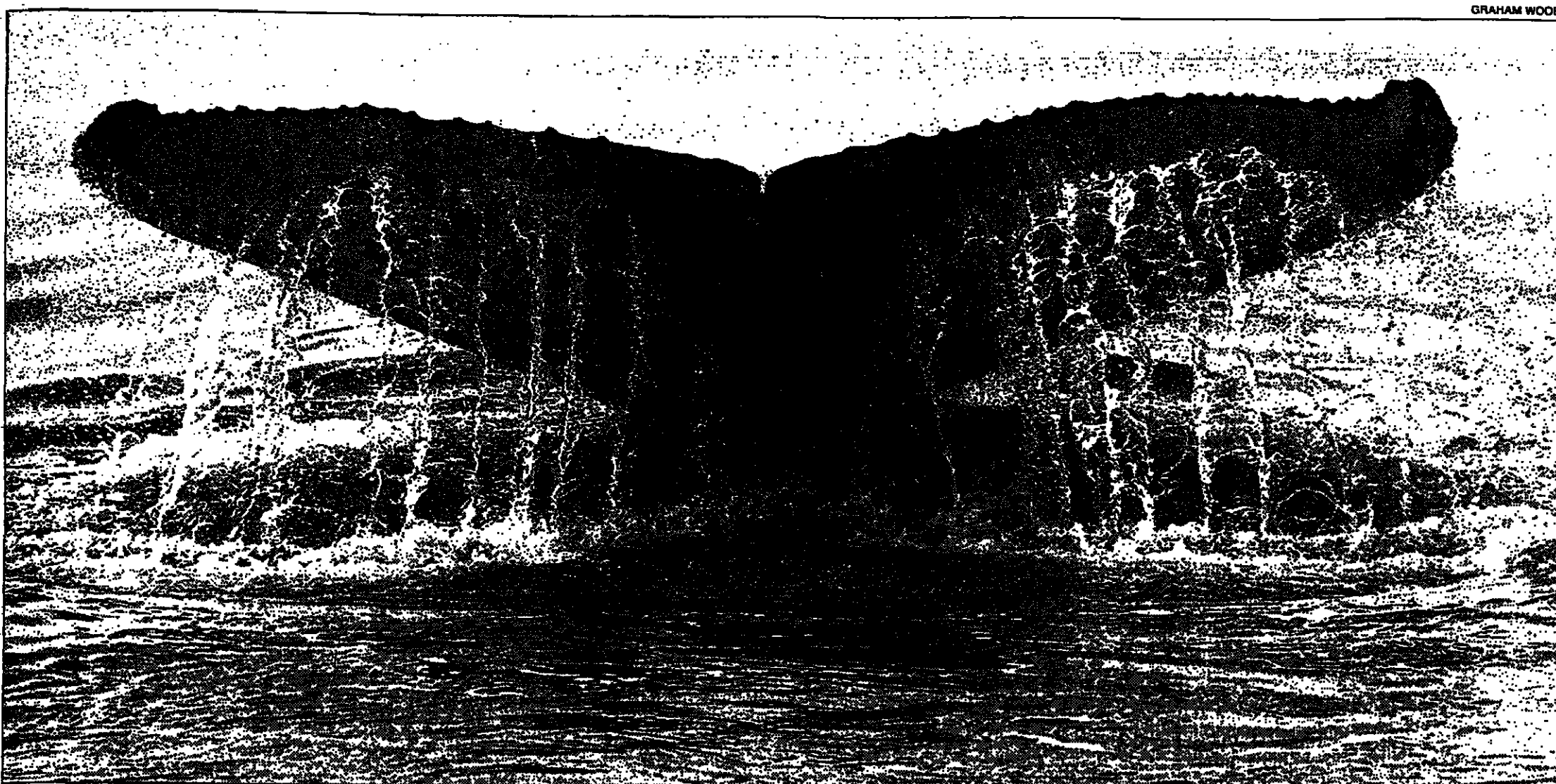
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International Whaling Commission meets in Glasgow this week to review worldwide moratorium



Diving for cover: a humpback off Cape Cod, Massachusetts. This week's meeting in Glasgow will decide whether the Japanese can resume commercial whaling of the minke

Protesters give the Japanese food for thought

By KERRY GILL

A HUGE inflatable model of what is possibly the world's best loved "charismatic mega-fauna", to use United Nations-speak, was floated across George Square in Glasgow yesterday on the eve of the International Whaling Commission's week-long meeting.

Nearly 1,000 people, mostly young, gathered to tell Japan, Norway and Iceland of their disgust for moves to reintroduce commercial whaling. The message was especially for those Japanese who happily spend more than £70 on a pound of whale meat in the restaurants of Tokyo. It was not the time to be Japanese and on holiday in Glasgow.

With the distant drums of an Orange march beating in the background, celebrities from politics and show business clambered onto a stage to express their oneness with whales. Tony Banks, Labour MP for Newham North West, said that whales' brains were larger in proportion to their massive bodies than those of politicians. He received the first cheer of the day.

Men, not women, he said, had created the world's worst disasters, for example the present slaughter in Bosnia-Herzegovina. But, of all the world's problems the plight of the whales was one of the most significant. In spite of a world moratorium on whaling, thousands of whales ended up on Japanese plates. Mr Banks said that instead of eating whales the Japanese might try eating each other.

His more practical suggestion was for a trade sanction against Japan until it stopped. He said that Norway and Iceland should be banned from entering the European Community until they adjusted their whaling policies.

Jon Magnusson, a member of the Icelandic delegation, stood silently as his country was denigrated for its call for commercial whaling to be allowed. Having listened at the door of an earlier press conference held by the Environmental Investigation Agency, he said: "It is all lies."

The Icelanders plan to stage a walk-out from the commission on Wednesday. They announced their intention of doing so last year because the commission's rules state that a spontaneous demonstration of this nature must be indicated a year in advance.

Hundreds of anti-whaling people, representing many environmental groups, have descended on Glasgow to bring pressure on the commission not to concede to the pariah nations. Many, including some Japanese, have travelled the world to stop a return to commercial fishing of minke whales.

An American tourist who stumbled into the crowds asked if it would get violent. "These things always do back home in Berkeley, California, where I come from," he said. But it did not. The few Japanese whale-lovers, looking a bit sheepish as their country was excoriated, wore Save the Whale T-shirts.

Alan Thornton, chairman of the Environmental Investigation Agency, attacked Japan for receiving pirated ivory as well as whale meat. The elephant is another animal termed by the UN as a "charismatic mega-fauna".

Greens hope Gummer backs whale sanctuary

BRITAIN'S formal reaction to a proposal to turn a vast area of ocean surrounding the Antarctic into an international whale sanctuary will be given by John Gummer, the agriculture and fisheries minister, when he opens the 44th annual meeting of the International Whaling Commission in Glasgow (IWC) this morning.

Environmentalists are fervently hoping he will announce his support, because the plan, put forward by France, is seen as a safeguard against the resumption of commercial whaling by Japan on the minke whales of the southern Atlantic, the last relatively untouched stock of great whales.

The sanctuary, taking in all waters below 40 degrees south, would encompass the entire southern ocean in a great circumpolar sweep, including Tasmania, New Zealand and

the south of Argentina and Chile. More than half the world's whales are believed to feed and breed in these seas, in particular the southern Atlantic minke, thought to number more than 750,000.

One large international whale sanctuary already exists, in the Indian Ocean, where commercial whaling has been banned by the IWC, down to 55 degrees south, since 1979. This sanctuary is up for renewal at the Glasgow meeting.

Mr Gummer said last week that Britain was sympathetic to the idea of both sanctuaries. "We want to see whether we can produce a package which would continue and extend the concept of sanctuary," he said. "There are some very real practical difficulties which we are actively trying to overcome."

The southern Atlantic minke, the main beneficia-

A French plan for the seas surrounding the Antarctic, prepared for an International Whaling Commission meeting, is seen as a safeguard against commercial hunting, Michael McCarthy writes

ries of an Antarctic sanctuary, are potentially threatened because commercial whaling, although outlawed worldwide since 1986, has not yet been permanently banned. It was halted by a moratorium put in place while the scientists of the IWC attempted to devise a method of hunting a given whale stock without driving it to the edge of extinction, as has too often happened in the past.

A complex computer programme intended to do this, based on whale population dynamics and known as the revised management procedure (RMP), is nearly ready, and is likely to be presented to the full commission in Glasgow for its approval. If it is

accepted, the clear implication would be that commercial whaling could recommence.

The few remaining whaling nations, mainly Japan, Iceland and Norway, are pressing for this to happen and growing impatient with delay. Last year Iceland, angered by the commission's refusal to let it restart whaling while the RMP was still being developed, gave the required year's notice of withdrawal from the commission, which expires tomorrow.

If the Icelanders leave and the Norwegians follow suit, as they have hinted they will, they may restart commercial whaling independently. To do so would invite interna-

tional opprobrium, consumer boycotts of their products and possibly direct trade sanctions from the United States.

The Japanese are playing more of a waiting game, having most at stake. Japan has the world's keenest taste for whale meat, with a whole minke whale on the dockside worth between £20,000 and £25,000. Under the guise of "scientific whaling" the Japanese have continued to hunt, killing several hundred animals each year whose meat ends up in restaurants, and more important for them, keeping their whaling fleet active.

If and when the revised management procedure is adopted, the Japanese will at

once ask the commission to give it a quota of whales to hunt. These could only be the minke, because they are the only undepleted stock, being the smallest of the great whales and so far the least hunted.

At last year's meeting of the IWC in Reykjavik, New Zealand, the fiercest opponents of whaling, made clear how many animals this would involve.

Ian Stewart, the New Zealand commissioner, said hunting under the revised management procedure would allow 100,000 minke to be taken out of the southern Atlantic stock.

If the IWC remains a body organising whaling and not, as the Icelanders and Norwegians believe, a body preventing it, it seems logical, if not politically inevitable, that sooner or later, the RMP will be introduced and whaling

may restart. The French proposal of an Antarctic sanctuary is an extra insurance policy against the resumption of whaling because it would severely restrict the area in which the Japanese were able to hunt.

Mr Gummer said that, even if the revised management procedure were adopted, Britain would still vote against the resumption of commercial whaling on three grounds: uncertainty of the state of whale stocks, difficulty of enforcing the procedures, and the lack of an assuredly humane method of killing.

"We will not even consider the lifting of the moratorium in circumstances where these three major issues are all of them unresolved," he said.

A 75 per cent majority of nations which vote is required for the moratorium to be lifted.

CONFERENCE AGENDA

THE main points on the agenda of the week-long IWC meeting are:

- Is the revised management procedure (RMP) for whale hunting ready, or is further work needed on it?
- If the RMP is ready, is it to be adopted by the 37-country conference?
- If it is adopted, is a quota to be set under it for killing whales by the pro-whaling nations (meaning an end to the 1986 moratorium on commercial whaling)?
- Are the waters around the Antarctic below 40 degrees south to be declared a whale sanctuary, as the French propose?
- Is the Indian Ocean sanctuary to be renewed?
- Will the whaling nations, Japan, Norway and Iceland, announce more "scientific" whaling programmes for next year?
- Other issues likely to arise include killing methods, and questions about small cetaceans - dolphins and porpoises - where the IWC's competence is arguable.

Slow birth cycle hinders recovery

WHALES give birth to a single calf, and their reproduction rate is slow, so populations drastically reduced in a few years by high-technology hunting could take decades to recover. Without protection, they may not recover at all (Michael McCarthy writes).

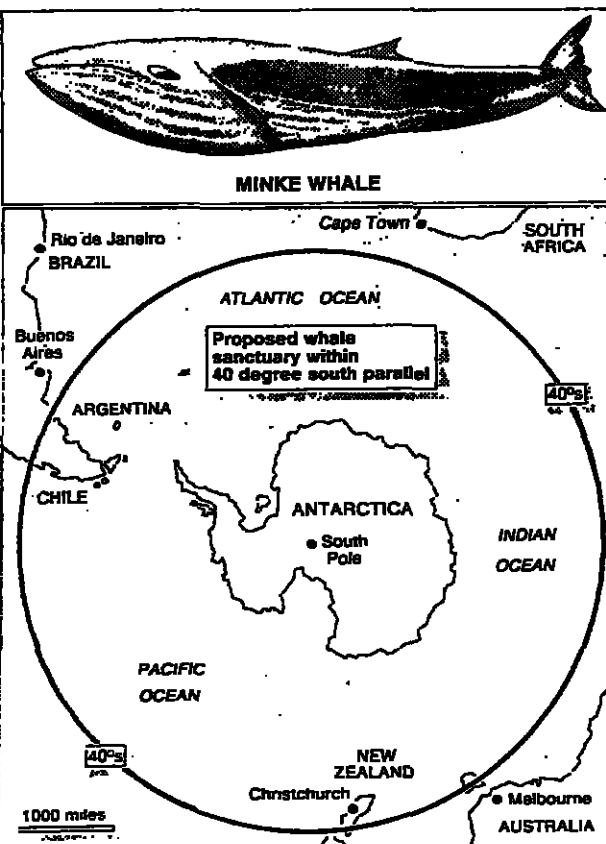
The danger is compounded by the fact that it is difficult to count whales in the ocean and the population can easily be over-estimated. Counting is done by survey ships. A statistical estimate of a total population in a given area is projected from the number of animals actually seen.

A whale stock and its reproduction rate are then subject to 100 years of computer-simulated hunting. The procedure was adopted in principle at the IWC's meeting last year, but it is still being refined. It has a safety

level of 54 per cent of a given initial stock; if numbers were reduced below this level, hunting would cease and whales would be protected. It aims at a maximum sustainable yield of 72 per cent of the stock. That means that a quarter of the initial number of animals could be taken off and the stock could still, in theory, sustain itself.

But, as New Zealand pointed out in Reykjavik last year, this means that 100,000 of the 400,000 estimated adult, huntable minke in the south Atlantic could be killed. Whether this is a "sustainable" number or not, in political terms it would be unacceptable for much of the world.

Britain believes that this system may be impossible to police effectively and that killing methods are still too inhumane to be permitted.



Smallest species faces biggest risk

By OUR ENVIRONMENT CORRESPONDENT

MINKE whales, found off the coast of Britain as well as in the waters of the proposed Antarctic sanctuary, are in the firing line simply because as the smallest of the great whale species they have been least hunted and therefore remain most numerous.

The other great whales have been savagely depleted, with whalers hunting the largest animals first, and moving to smaller prey as each species started to disappear. The process began with the blue whale, at up to 90ft long the largest animal on Earth. Tens of thousands were slaughtered each year between the wars, in a hunt in which Britain played a prominent role. Scientists believe that the blue whale population in the southern oceans, at fewer than one thousand individuals, is less than 1 per

cent of the original, although protected for 25 years, it remains one of the most endangered animals on earth.

When blue whales started to disappear, the whalers moved on to the next animal down in size, the fin whale; that too suffered a population crash, and its remaining numbers are now thought to be about 5 per cent of the original stock.

The same thing happened with the next one down, the humpback, and then the next, the sei whale, while the sperm whale suffered a similar fate.

The minke is the last great whale whose stocks are relatively untouched. There are between 30,000 and 80,000 animals in the North Atlantic, as well as the 750,000 thought to inhabit the southern oceans.

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Families discover paths to freedom

By TIM JONES

CITY centres were a good proposition for fleeing the madding crowd yesterday as the countryside from Hadrian's Wall to the Lizard was being tramped by thousands of ramblers taking part in a nationwide family day.

This was no great confrontation of the "Forbidden Britain" variety, where members of the Ramblers' Association clash with owners of grouse moors or farmers who have ploughed up paths for potatoes. Rather, it was designed partly to introduce children to maps, compasses and the delights of the countryside.

Catharine Cunningham, the association's assistant director, said: "With the recession now affecting so many people, family rambling day is more important than ever this year. It introduces families to a most enjoyable new pastime which is

really cheap and open to every age group. It is fun and it is free."

At Aylesbury in Buckinghamshire, brown owl Joan James and her brownie pack were joined by Sir John Johnson, chairman of the Countryside Commission, which has set itself the task of clearing 120,000 miles of footpaths by the end of the decade. For Sir John, former British High Commissioner to Kenya, who lists his recreations in *Who's Who* as "climbing and reaching remote places", the three-mile stroll through well ordered fields did not present the ultimate challenge.

The brownies, however, were excited by the great adventure and were backpacking enough crisps and pop to keep a small army going. Mind you, they had an ulterior motive: they were after their walking badges.

BA takes stake in German market

By HARVEY ELLIOTT, AIR CORRESPONDENT

BRITISH Airways' strategy of buying big stakes in domestic rivals of Europe's state-owned airlines takes off today when Deutsche BA begins scheduled services from Berlin.

German permits enabling the new airline to start operations with Boeing 737 jets arrived on Saturday after three months of negotiations. BA and other foreign airlines were told that they would have to close their Berlin base - opened after the war to maintain air links with the besieged city - in response to German reunification. After meeting resistance from Lufthansa, the German government and the EC to a number of proposals for keeping the services going, BA eventually bought 49 per cent of the small domestic airline Delta Air. The airline is based in Friedrich-

shaven and uses nine turbo-prop commuter aircraft to link regional cities.

The other 51 per cent is owned by a consortium of German banks. The airline was renamed Deutsche BA and given a new colour scheme using the colours of the German flag.

The first flights are between Berlin and Munich and Stuttgart. The new company will be managed and crewed by Germans and will initially concentrate on internal services although there are plans to expand services to include international destinations.

The deal falls outside the proposed European liberalisation package signed in Luxembourg last week and Deutsche BA will be subject to the same restrictions as any other airline that tries to extend its operations to other countries.

**THE VOLVO ESTATE.
DESIGNED
FOR THE GREATEST
ADVENTURE
OF THEM ALL.
LIFE.**



◀ Whatever you can cram into your life chances are the Volvo estate can help you do it.

Mountaineer, Chris Bonington, for example, travels far and wide in his Volvo estate.

"It thinks nothing of carting all my climbing gear down to the Alps. I also drive 40,000 miles a year on lecture tours and seminars."

As many people with adventurous hobbies (or even professions) have discovered, the Volvo is a better choice than off-road vehicles.

On long journeys the off-roaders can become wearisome. Noise levels are greater and characteristically the steering demands constant attention to stop the car wandering.

The Volvo carries more and you actually enjoy the drive.

"I must say I loved the way the car performed. (940 SE Turbo estate.) On our legally restricted highways I never got close to verifying the 124 mph top speed but can confirm that at the legal 70 mph limit, the engine is turning at under 3,000 rpm and the turbo is idling." *Sunday Express*.

In the top of the range 960 estate, cruise control is standard and the 24 valve 3-litre engine is smoothness itself.

The Observer described it as "a timeless cruiser with high levels of comfort and refinement."

The Volvo estate isn't the kind of car you have to at home when you're going to the ball. Despite its practicality, the Volvo estate has a look and feel. It drives like a saloon or as one



enthusiastic road report stated "on motorways the Volvo rode like a limousine."

Inside the analogy holds good, too. On the 960 24 valve, for example, electric seats, electronic climate control and leather are all standard.

Don't be scared by the size either. The Volvo estate has a turning circle of just 32 ft. (smaller than that of a Volkswagen Golf), and if you want to fill all that space with Mahler rather than luggage, a tailor-made stereo radio cassette comes as standard.

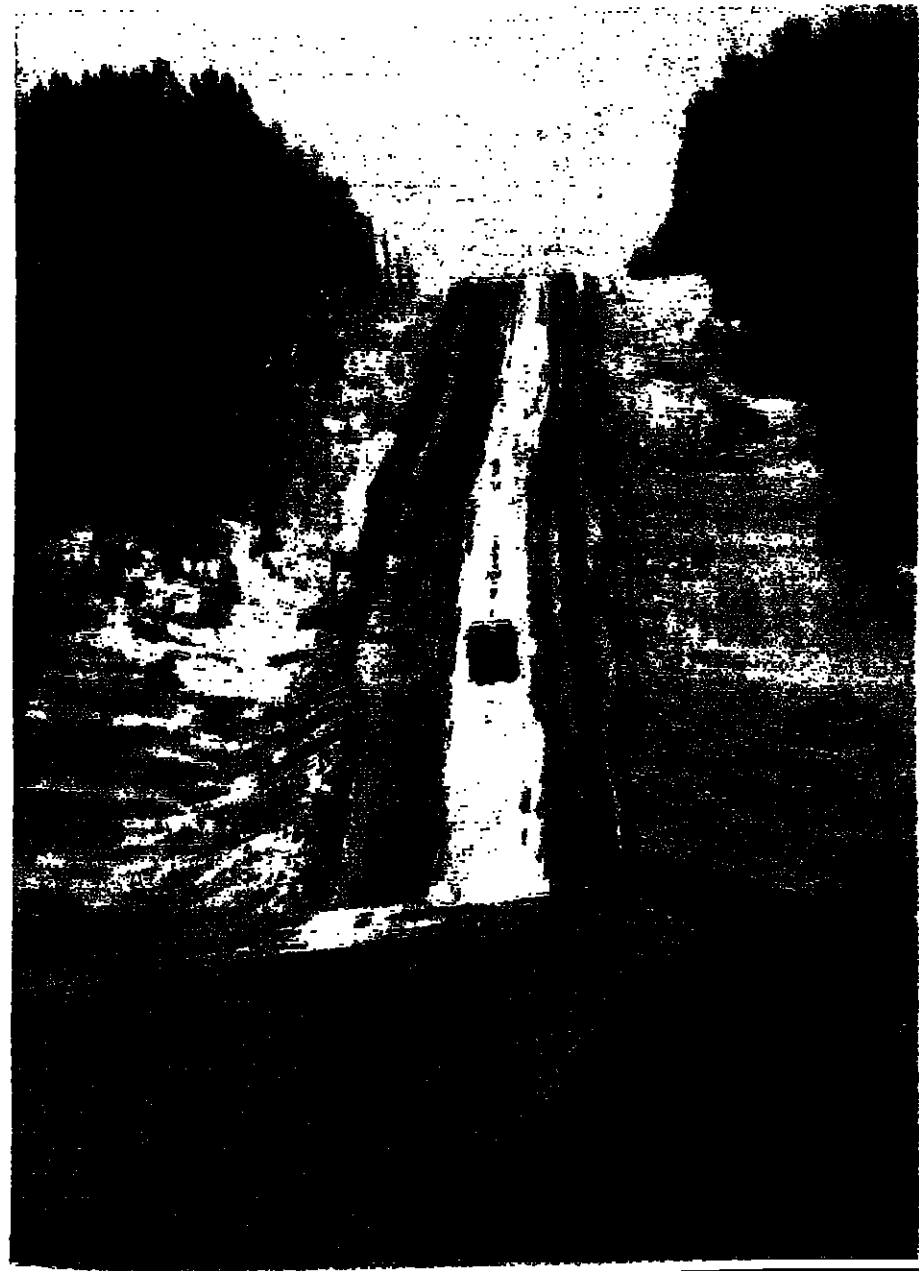
There's a whole world out there beyond the garden centre and school gates and what better car to take you there than a Volvo estate.

It has more luggage capacity than the Citroën, Audi, Mercedes or Granada estates, and if it swallows suitcases, it also eats up miles.

The 940 2.3 litre turbo estate, for example, delivers 190 bhp, giving it a safer over-taking time (50-70mph) than a Jaguar XJS or BMW 535i.

One other touring advantage of the Volvo estate becomes immediately apparent—the views.

Slim door pillars and panoramic windows give the Volvo all-round visibility.



◀ If life is precious doesn't it make sense to drive a car that's designed to preserve it? No car maker has a better reputation for safety than Volvo.

We have recently added to that reputation with a unique and patented development called SIPS (Side Impact Protection System).

In effect, it creates shock absorbers for the side of the car. The impact of a side collision is absorbed through a large part of the car body. Floor and roof members, doors and door sills all play an active part in absorbing the blow. (Better than you.)

Of course, there's more to safety than the ability to survive trouble.

As you can see elsewhere on this page, the Volvo estate is designed to avoid it, too.

◀ Into every life a little rain must fall. (Not to mention snow, sleet and hail.)

The Volvo estate is tested in temperatures that range from -40C to +40C and it's designed to cope with both extremes. (That's why you'll find busy Volvo dealers in both Alaska and Australia.)

Our aim is to produce a car that behaves predictably whatever the driving conditions.

ABS brakes, for instance, are standard on all 940 models, while the 960 automatic also has a 'winter mode' that modifies the gear changes for snow and ice.

Not surprisingly, the latest report on Injury, Accident & Casualty Rates prompted The Guardian to highlight the Volvo as the "best pick of the large cars."



Sex offenders 'free to view pornography in prisons'



Clarke: offenders sent to specialist jails

A WIDE range of pornography, including material showing acts of violence against women and children, is available in prisons, according to a report published today.

In one prison, it says, inmates had obtained a magazine which included pictures of a woman being raped while workers at another jail complained to the governor about the contents of video films being shown to segregated sex offenders. One film depicted a woman being abused and asking for more violence.

Malcolm Cowburn, author of the report on pornography in prisons in England and Wales, said: "The presence of all kinds of pornography within the institutions is accepted as inevitable." He added that although the prison department had powers to control the amount of pornography, whether the authorities wished to do so was not clear.

Mr Cowburn's report is one of

A report questions whether authorities want to control the availability of obscene material in Britain's jails, Richard Ford writes

several in a booklet published by the Prison Reform Trust, *Beyond Containment*, which studies how the prison system is trying to treat sex offenders. The number of sex offenders given immediate custodial sentences increased from 1,500 to 2,400 between 1979 and 1989. Two years ago, the prison service held 3,166 offenders whose primary conviction was for a sexual offence.

Kenneth Clarke, home secretary, has launched a strategy to concentrate sex offenders in certain prisons, which will develop specialist skills to tackle their behaviour. The trust claims today that the programme may fail because of a lack of clear policy direction and the failure to in-

crease resources, including staff levels, for sex offender treatment. In his report, Mr Cowburn called on prison officers to challenge the presence of pornography and said its existence in jails could not be ignored because that would reinforce the values of the sex offender.

Mr Cowburn, a Nottingham probation officer who carried out research in jails, said: "If the prison service wishes to focus a intention on helping sex offenders not to reoffend, it cannot ignore the sexism and pornography with in the institutions in which it intends to work with sex offenders."

The report says that he found many instances of intimidatory and sexist behaviour towards male

prison staff and that before introducing restrictions on pornography in jails, staff attitudes had to change. One woman told him that she received many comments about her appearance and colleagues asked in front of prisoners whether she wore tights or stockings.

"The combination of the availability of pornography and sexism had a negative effect on women prison workers. Male workers, however, were generally more complacent about the presence of pornography," Mr Cowburn said.

Research had shown that heightened feelings of hostility to women occurred after reading or viewing pornography, the report said. Concentrating exclusively on the question of whether pornography directly contributed to sexual violence failed to acknowledge its brutalising effect.

Under government regulations, prison governors have authority to

prevent the display of "offensive" material in jails but it is not clear whether the rules apply to individual cells rather than offices and common areas.

Adam Sampson, of the Prison Reform Trust, called for clearer Home Office guidance on the pornography in jails but said it would be difficult to stop material available in shops from being allowed in jails. "It is alarming that prisoners including those convicted of sexual offences can see magazines portraying women in a degrading light. The whole prison system tends to reinforce macho attitudes towards women and children and the availability of pornography makes it worse," he said.

Independent watchdogs at Wandsworth prison have warned the Home Office that mistakes which led to the suicide of a mentally disturbed prisoner last year could be repeated unless recommendations made by an en-

quiry are taken up by the medical section of the prison department (Stewart Trender writes).

The warning was issued in the latest report of the board of visitors for the prison and follows the death last year of Delroy Macknight, 29, who cut his throat with glass from the broken window of his cell. The dead man, diagnosed as an acute paranoid schizophrenic, had been transferred from Highpoint prison in Sussex to Wandsworth. The medical background was not appreciated at Wandsworth and he was locked up unsupervised for 23 hours a day.

The death, which resulted in a verdict of "lack of care" from an inquest, led to an investigation by a working group within the prison department. Angela Rumbold, then Home Office minister, considered the findings so important that she placed them in the Commons library.

Brain tumour drug earns British team \$1.5m deal

By Nigel Hawkes, Science Editor

THE Cancer Research Campaign has struck a deal with an American drug company to develop and market a new compound that has shown exciting potential in treating brain tumours.

The drug, Temozolomide, was discovered by Malcolm Stevens at Aston University. The Schering-Plough company has made an initial payment of \$1.5 million (£800,000) to the Cancer Research Campaign for rights to the drug, and if it proves a big success it could earn the campaign up to £20 million a year once in full production.

Gordon McVie, scientific director of the campaign, says that the results so far have been astonishing. "Two patients who came into hospital on stretchers got up and walked after taking the drug. In other cases, we have seen enormous shrinkage of the tumours, and in brain tumours where we haven't had any effective drugs before that is extraordinary."

The drug works by interfering with a molecular process specific to tumour cells. A

small molecule can be taken by mouth and has been designed so that it is more likely to reach the brain than earlier compounds. Side-effects are relatively minor and can be controlled. Of 46 patients treated with the drug at Charing Cross Hospital in west London, half have shown shrinkage of brain tumours.

One of those is Theresa Bouette, 40, who had lost her speech, co-ordination and memory because of a brain tumour. When she started taking Temozolomide nine months ago, there was nothing else conventional therapy could do for her. Surgery and radiotherapy had failed to eradicate the cancer and she was sent home to make the most of the two months doctors gave her to live.

Today she can walk and speak normally, and brain scans show her tumour has shrunk, though it has not disappeared. "I feel a hundred times better than I did," she says. "I am just so thankful for every day I have now."

The deal with Schering-Plough is designed to bring the drug into production and ensure that, if it is a success,

the campaign, Aston University and Charing Cross Hospital will all benefit. It was negotiated by Sue Foden, managing director of the campaign's technology transfer section. "The initial payment of \$1.5 million will be followed by milestone payments during development amounting to the same figure," she said yesterday. "After that, it will depend on how successful it is. If it sold, say, £100 million worth a year, as some successful cancer drugs do, then the campaign would earn £20 million a year."

Dr Foden offered drug companies worldwide the opportunity to bid for Temozolomide, and Schering-Plough came up with the best offer. One advantage of the deal is that the company's expertise will be applied to manufacturing the drug, something the campaign cannot do.

Although the first trials involved brain tumours, Ed Newlands of Charing Cross Hospital says that it is also effective against malignant melanoma, a form of skin cancer that can be fatal. The drug has not yet been tested against other cancers but Professor McVie is hopeful that it will prove effective against a range, possibly including cancer of the breast.

Methodists question traditions

By Ruth Gledhill, Religion Correspondent

THE Rev Kathleen Richardson, the first woman president of the Methodist Conference, which meets this week in Newcastle upon Tyne, is one sign of the changes in the movement.

The conference will today debate a report that says there are no theological objections to calling God "Mother" and many good reasons for doing so. The report cites prayers where God is described as giving birth and Jesus as a mother hen.

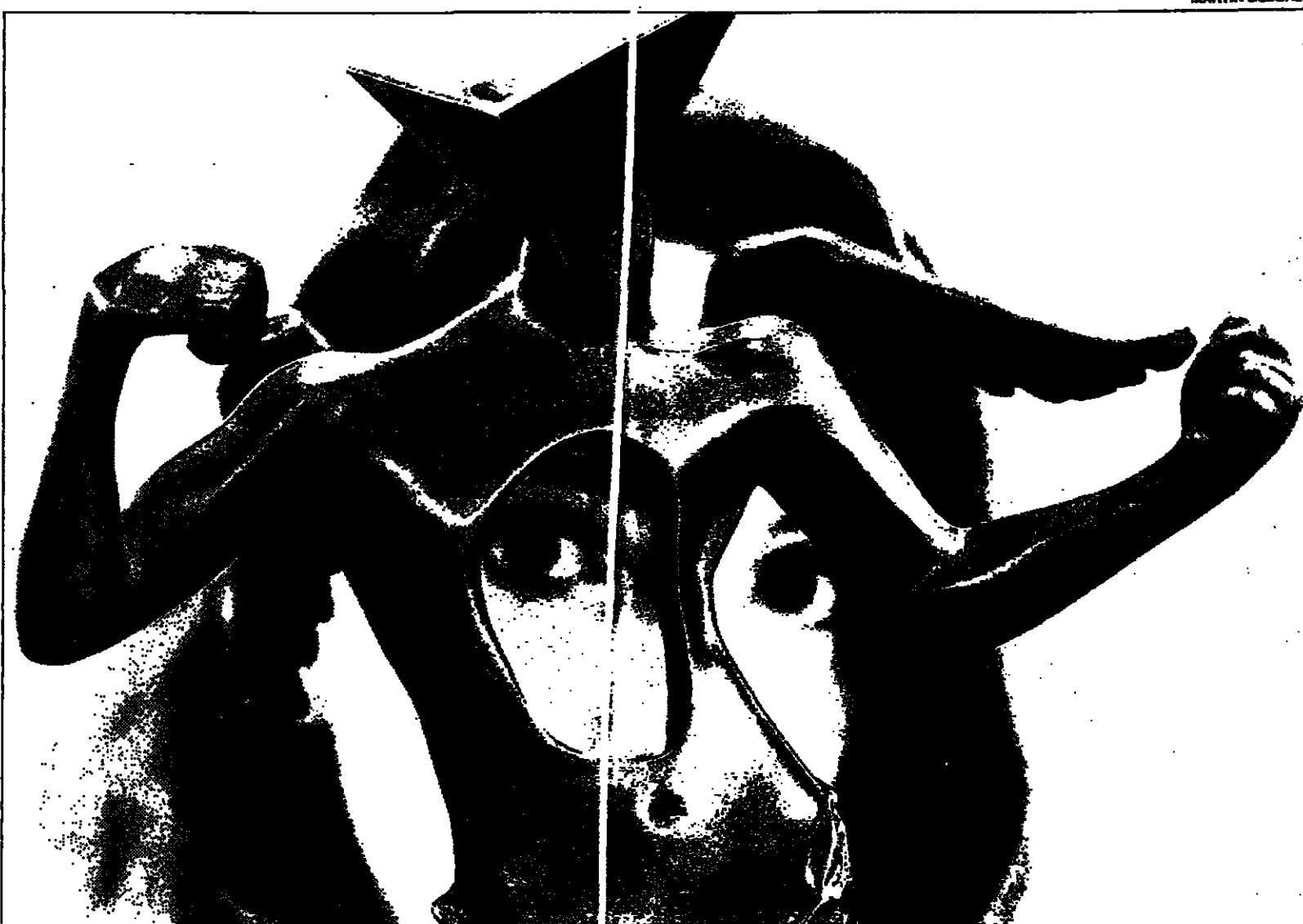
Later this week, the conference will decide whether to allow minor gambling such as raffles in church halls, and whether to allow a licensed bar at Southlands College, southwest London, a Methodist-owned foundation.

Charles Wesley, one of the founders of Methodism, remains a celebrated hymn writer, and his works are sung in churches of many denominations. The conference this week is expected to set up a review of its music and hymns.

Traditionalists can take heart from a report on family life, which unequivocally restates the traditional Christian approach to marriage. They will also be relieved to learn that the faith and order committee has decided that universalism — which holds that all people will inevitably be saved by God's love — is not Methodist doctrine.

In her inaugural address, Mrs Richardson said: "Too often our understanding of religious life has been formed by images of renunciation — of sex, money, power — and by preaching self-denial. We have had enough of the 'clinging to the rock and bleed' spirituality, of the 'if it hurts it must be doing me good' understanding of church life." She called instead for the denial of the attention-seeking ego and of self-importance.

Court, page 16



Angelic offering: Salvador Dalí's *L'Ange Surréaliste*, 22 1/4 in high in bronze, may fetch up to £5,000 at Christie's tonight

Prices fall as auction houses chase bidders

By Sarah Jane Checkland, Saleroom Correspondent

TWO years ago, a painting by Van Gogh sold for £49.7 million. Tomorrow, another work by him is being offered in London with the modest estimate of £600,000. *Nature Morte, Branche d'Amandier* is admittedly small, at 9 1/2 in by 7 1/2 in, but it is highly attractive. Having been a gift from the artist to his sister, it is also being offered with a strong provenance. Sotheby's best offering at their Impressionist sale tomorrow evening, they hope that the low estimate will encourage interest in the market.

Christie's is also hoping to attract lovers of Impressionism and the best painting to come under the hammer in a sale at King Street tonight is a view of Charing Cross Bridge by Monet, estimated at £2 million to £2.5 million.

The sale also features a recently rediscovered preparatory study for Cézanne's *Les Grandes Baigneuses*, now in the Philadelphia Museum of Art, which is expected to make between £400,000 and £600,000.

A pen and ink garden study by Van Gogh, one of ten made in and around the asylum at St Remy in 1889, is for sale with *La Famille des Centaures Marsupiaux* by the Surrealist Salvador Dalí.



Small wonder: Van Gogh's *Nature Morte, Branche d'Amandier* has a £600,000 estimate

Both works have a £400,000 to £600,000 estimate.

One of Dalí's sculptures is on offer in a kindred, though much less expensive, sale at the firm's middle-market branch in South Kensington. *L'Ange Surréaliste* is on offer at £3,000 to £5,000 in a sale of paintings, drawings and

sculpture with prices ranging between £1,500 and £20,000.

Sotheby's campaign to woo back the buyers is being orchestrated by the company's new American managing director, Roger Faxon. He describes the sale as "very skilled and well-constructed, even if the actual low

estimate value is significantly lower than it would have been in the past". The paintings are fresh on the market and of high quality, he says.

Headhunted from Hollywood two years ago, where he was a film executive, Mr Faxon says he is used to seeing markets change. But the dramatic collapse of the Impressionist market within months of him being offered a job at Sotheby's was something new to him. Having spent ten months at the company's New York office, he came to London ten months ago and was promoted to his present job three weeks ago.

The move placed him above the previous managing director, Tim Llewellyn, and sent waves of apprehension around an already demoralised staff. Many believed they had already been working to capacity during the recession.

Mr Faxon denied having an aggressive management style but said: "In the delegation of authority, there are strings attached. I hold people responsible. If we don't achieve our goals, we have to understand whether it is the fault of the person in question or something outside their control."

Asked whether buyers have been alienated by what they now perceive to have been market hype, fuelled by business practices such as

Sotheby's offering guarantees to sellers and loans to buyers, he agrees that buyers "are not as trusting of the market as they were three years ago". But Mr Faxon denies that customers have been alienated by the company's business practices. No paintings at next week's sale are guaranteed, he said.

Other offerings tomorrow will include Monet's *Les Alpes vues du Cap d'Antibes*, estimated at £600,000 to £800,000 and from a private Swiss collection; a slight oil painting of a girl by Renoir at £400,000 to £500,000 and Picasso's *Sylvette*, a portrait made from a cut-out sheet of metal, at £650,000.

When the Picasso last appeared at auction in 1984, it fetched £132,000, so next week's sale should entail a substantial profit for its owner. But on the whole, the estimates compare pathetically with the prices of three years ago at the sale of Impressionist paintings from the British Rail Pension Fund's collection when Renoir's *La Promenade* sold for £10.3 million and a Blue Period Picasso £3.9 million.

One question is whether Impressionism will make a comeback, or whether it is permanently relegated to the status of yesterday's news.

Diary, page 14
Business News, page 19

Scots honour Queen Margaret, their first European

The Hungarian-born wife of a Scottish king had a remarkable influence over the history of his country and Europe, Kerry Gill writes

England in 1057, but fled with a small retinue to Scotland after the Norman Conquest. Some historians believe that a storm might have caused her party to seek refuge at the court of Malcolm III, "Canmore", and that it was intending to return to Hungary. She met the king, who fell in love with her.

It is claimed that her influence on European history was as great as that of Edward the Confessor, St Stephen of Hungary and Otto I of Germany. She was a driving force in turning Scotland into a truly European and outward-looking nation.

Professor Barrow, chairman of the committee organising the "St Margaret 900" celebrations, said

many British historians, particularly the Scots, had jumped to the erroneous conclusion that Margaret exercised a vast, alien English influence north of the border. "This, of course, is a complete load of rubbish," he said. "Her background was Hungarian-German."

Margaret was a true European in the modern sense. She corresponded with Lanfranc, Archbishop of Canterbury, and Theobald of Etampes, and was proficient in at least three languages. "Her influence on Scotland was primarily in giving the country a much sharper awareness of the totality of Christian Europe," Professor Barrow said. Her marriage to Mal-

canmore helped the king's work of national improvement, religious and cultural. Turgot, the Bishop of St Andrews who died in 1115, said: "She made the king himself very readily inclined to works of justice, mercy, alms and other virtues." Each morning she fed nine orphans before entering the Great Hall of Edinburgh Castle to provide food from the royal household for 300 poor.

Her legacies include the chapel in Edinburgh Castle which bears her name, the founding of the toll-free Queen's Ferry across the River Forth and Dunfermline Abbey. She was canonised in 1260. The celebrations will end with a service on St Margaret's Feast Day at St Mary's Roman Catholic Cathedral in Edinburgh. In June, there will be a re-enactment of the Battle of Alnwick, where Malcolm was killed.



Queen Margaret: fed orphans each morning in Edinburgh

Diary, page 14

Legal fees prove a costly surprise

Almost four out of five people see the law as "a bit of a mystery" and few have any idea about solicitors' fees, according to a report published yesterday.

The Gallup survey of 1,000 people for the insurance group General Accident found that nearly 60 per cent underestimated what they would be charged. A further 30 per cent had no idea of solicitors' usual hourly rates, which the group says range from £60 to £150.

Jean Grace, of General Accident's legal helpline, said: "We found that most people who wanted legal advice but didn't take it were put off by the cost."

People aged 16 to 24 said they used solicitors mostly for police matters (29 per cent) and for private actions (30 per cent), although 13 per cent said they used them for divorce matters. For all ages, house buying and selling was the main reason for visiting a solicitor (69 per cent).

Farmers help save rare bird

Farmers in Cambridgeshire are to be offered poplar trees in a planting scheme aimed at saving the rare golden oriole. Only 30 pairs of the brightly yellow thrush-like bird, from Africa, breed in Britain and seven pairs are in the Cambridgeshire fenslands.

The bird is under threat because not enough poplars are being planted to replace mature trees being felled in its breeding grounds. Cambridgeshire County Council will supply £40,000 of trees and bushes to landowners.

River deaths

Two soldiers who drowned in a river at Saltersmarine, co. Tyrone, while on patrol were named as Richard Coulson, of Tyrone, and Peter Sullivan, of Stockton-on-Tees, Cleveland. They were both 25 and lance corporals in The Parachute Regiment.

Dinosaur egg

The fossilised egg of a sauropod dinosaur, *Hypselosaurus*, is expected to fetch £5,000 to £7,000 at Christie's, London, next month. The 18.2cm egg, estimated to be 70 million years old, was found at Aix-en-Provence.

Crash enquiry

Civil Aviation Authority investigators began examining the wreckage of a Spitfire that crashed at the Woodford air show, Cheshire, on Saturday killing the aircraft's pilot and owner, David Moore, 47, of Gloucestershire.

Libel writ

The Aka Khan has issued a writ for libel damages against Express newspapers and the *Daily Express* columnist Ros Benson over a gossip column story on the BCCI collapse.

Man trapped

Ken Halliday, 53, of Swindon, died in hospital after becoming trapped from the waist down in a stacking machine at Courtaulds Films.

Drug raids

Seventeen people were held after several raids by drug squad police in Mansfield, Nottinghamshire.

Bond winners

The weekly premium bond prize winners are: £100,000, number SSF 390937, who lives in Wakefield (value of holding, £180,550,000, 10K1, 547922; Stockport (£267); £25,000, 13PW 090839, Salford (£117).

THE TIMES M...
African les...
Manc...
OAU

UN to give Somalis tent refuge

Rhinos to aid of cons

Michael Hamlyn

African leaders seek reopening of talks

Mandela pressed by OAU to meet Botha

FROM RAY KENNEDY IN JOHANNESBURG AND SAM KILEY IN NAIROBI

NELSON Mandela, the president of the African National Congress, and P.W. Botha, the South African foreign minister, are likely to meet during the Organisation of African Unity summit, under pressure from other African countries to reopen talks on the future of constitutional reform in South Africa.

The invitation to Mr Botha to visit the Senegalese capital, Dakar, where the summit opens today reflects a significant change in the way African countries conduct foreign affairs with South Africa. Previously, they would have taken the lead from Mr Mandela and put a hold on contacts with Pretoria.

One West African ambassador said: "We are now much more comfortable with making direct contacts with the South African government and that means that we are also prepared to make up our own policy — no matter how much we might respect the ANC and Mandela."

The move is one of several international attempts to bring the South African government and the ANC back to the constitution negotiating table, on the eve of the mass funeral today of 35 vic-

tims of the massacre in Boipatong township.

Boutros Boutros Ghali, the United Nations secretary-general, has agreed to visit the country to consult all main parties and was yesterday expected to meet Mr Mandela. The ANC leader is expected to ask Dr Boutros Ghali to send a monitoring group, similar to those used in Angola and Namibia, to South Africa.

Mr Botha and Roelf Meyer, the constitutional development minister, returned home yesterday from Abuja, the Nigerian capital, where in addition to meeting Dr Boutros Ghali they briefed President Babangida of Nigeria, the outgoing president of the OAU.

At the same time the European Community has joined calls for a resumption of negotiations. Following their two-day meeting in Lisbon, EC leaders said it was vital for talks to resume on the setting up of a transitional government and a non-racial constitution. They noted Pretoria's new willingness to allow foreign observers to join an investigation into the Boipatong massacre. A Commonwealth monitoring

role has also been proposed. Chief Ameka Anyaoku, the Commonwealth secretary-general, is expected to arrive in South Africa this week.

The ANC has called for a nationwide day of mourning to mark today's mass funeral and President de Klerk said government workers would be given time off to attend services and has urged the private sector to do the same.

Ironically, the Boipatong victims will be buried in a cemetery in Sharpeville, where in 1961 police shot dead 69 people. The service will be conducted by the Rev Frank Chikane, the secretary-general of the South African Council of Churches, and Archbishop Desmond Tutu will preach.

Police say they may be close to a breakthrough in their investigations into the massacre. A spokesman said a resident of the Kwamadala hostel had made a statement to a local magistrate and revealed details of a battle plan drawn up by members of a Zulu impi living in the hostel.



Ancient and modern: an African National Congress supporter in sunglasses and cap brandishing shield and spear at an ANC rally near Johannesburg

PEOPLE

Perot chooses a low-key birthday

The Texas tycoon Ross Perot celebrated his 62nd birthday by telephoning supporters who staged rallies in several states but spent the day out of the limelight, leaving only guesses about when he will make his presidential candidacy official. There had been speculation that Perot would declare his candidacy on Saturday because over the years he has tied big events in his life to his birthday. But last week he said that he wanted to select a vice-presidential running mate and get his name on the ballot in more states before making his candidacy official.

Brazil's business leaders are showing concern that the left-leaning vice-president, Itamar Franco, 61, could take over if the embattled president, Fernando Collor de Mello, is forced to step down by a corruption scandal.

Actor Lloyd Bridges, 79, has left hospital "in excellent shape" after a successful minor heart operation to clear a blocked artery.

Ion Iliescu, the president of Romania, will again run for office in general elections on September 27. He will be the candidate of the Democratic National Salvation Front, which split from the National Salvation Front in April. Reformists who are now dominating the parent party back Petre Roman, the former prime minister and the present chairman of the National Salvation Front.

Interview magazine is going under wraps for its July issue to conceal the cover showing the actress Drew Barrymore stretched out nude on a lawn. *Vanity Fair* used a similar wrapper last year when its cover displayed a pregnant Demi Moore in the nude.

Horror author Stephen King is having a tough time keeping a low profile in Maine. Last year, a Texan broke into his home claiming King had plagiarized a character for his book *Misery*. Now, Steven Lightfoot, 28, a Californian, is claiming that King killed the former Beatle, John Lennon.

UN to give Somalis tent refuge

BY MICHAEL THEODOULOU

AS THE first relief aid reached 4,000 starving Somali boat refugees on the scorching beaches of the Yemen at the weekend, a United Nations official was hopeful a tragedy would be averted.

Comparing their plight to that of the Vietnamese boat people in the 1970s, he gave a warning of a disaster if the international community does not tackle the root of the problem in Somalia. The situation has improved since Friday and there have been no deaths in the past two days, Pamela Morgene, of the UN High Commission for Refugees responsible for the Middle East and North Africa, said. "The Yemeni authorities are now very positive and we are looking for ways with them to set up a permanent camp," Mr Morgene said.

Thousands of tents which once sheltered Kurdish refugees from the cold in northern Iraq were on their way to protect the Somali refugees from the sun. Four thousand refugees, who fled civil war and famine in their homeland, are packed into a makeshift camp on the beach near Aden, where temperatures in the shade soar to 50°C. Sixty people died from hunger on board the first refugee ship. Another 90 desperate refugees died after jumping from the freighter to swim the 400 yards to shore.

Malawians 'forced to vote'

FROM REUTER IN HARARE

MALAWI'S leading opposition group said yesterday that government supporters had been forcing people to vote in the parliamentary election at the weekend, undermining a boycott that it organised in opposition to years of one-party rule.

"We understand there is gross intimidation... people are being forced to vote," said a Harare-based official of the Interim Committee for a Democratic Alliance on Saturday. Malawi's state-run radio reported late on Friday that long queues of people had "fought their way" to cast their votes, adding that some were unable to vote for reasons including work and congestion at polling stations.

"To such people, we say they have the whole day to themselves tomorrow [Saturday]," the radio was quoted by the BBC as saying. The opposition alliance, which was formed in Zambia this year by mostly exiled government opponents to fight for multiparty democracy, said that most people had stayed away from the two-day elections on Friday. An official said that after this snub President Banda's officials and unruly supporters "are dragging our people to vote". Malawian government officials were unavailable for comment.

Rhinos to be shot in aid of conservation

Hunting is helping Natal herds, writes Michael Hamlyn from Hluhluwe

SIX white rhinoceroses have been sold at a hotel in Hluhluwe, Natal, just outside the oldest game reserve in Africa. But these six — not, it has to be admitted, in the first flush of ebullient rhino youth — are not going to be conserved. Quite the opposite: they are going to be shot.

The six have been sold to four private game parks elsewhere in South Africa where rich American tourists will be charged up to \$50,000 (£27,800) for the privilege of hunting one and killing it. They will take the head for a wall trophy, and no doubt the feet for wastepaper baskets and the tail for a fancy whip.

The rest will be left to rot. But the shooting of these animals from an endangered species is a measure of how far their conservation has gone and emphasises the role that can be played in conservation by hunters. "The hunting industry is a large body," Mark Cooke, the chief conservator at Hluhluwe, said. "It makes it viable for private landowners to go into game reserves."

There is also an irony that the rhinoceros herds are now in more imminent danger than ever from poachers for their valuable

horn. Ten white rhinos have been killed in the Natal parks in the past 18 months. One was killed this year and, thanks to energetic police action, the killers and the man who was in possession of the horn have been arrested.

The Natal rhinos are in pretty good shape. There are 1,600 white rhinos in the Umfolozi/Hluhluwe complex of parks, and the rarer black rhino now numbers 300 and is rising. Since the start of conservation here, the rhino has been such a success story that 35 white rhinos were put up for auction at the game sale — not for trophy purposes, but for breeding. They fetched much lower prices this year than on previous occasions, demonstrating the success that Natal has had in redistributing its stocks. While the breeding rhinos fetched about 26,500 rand (£5,300) each, the excess males were withdrawn from the auction when the bidding failed to reach 30,000 rand.

Elsewhere, things are not going so well. In Swaziland, where rhinos are being dehorned as in South Africa in an attempt to protect them from poachers, rhinos are now down to a total of a mere 13.

DEEP SLEEP THERAPY WAS SO EFFECTIVE THESE PATIENTS NEVER WOKE UP.

"DEEP SLEEP": In 1963 an Australian doctor began a brutal medical regime.

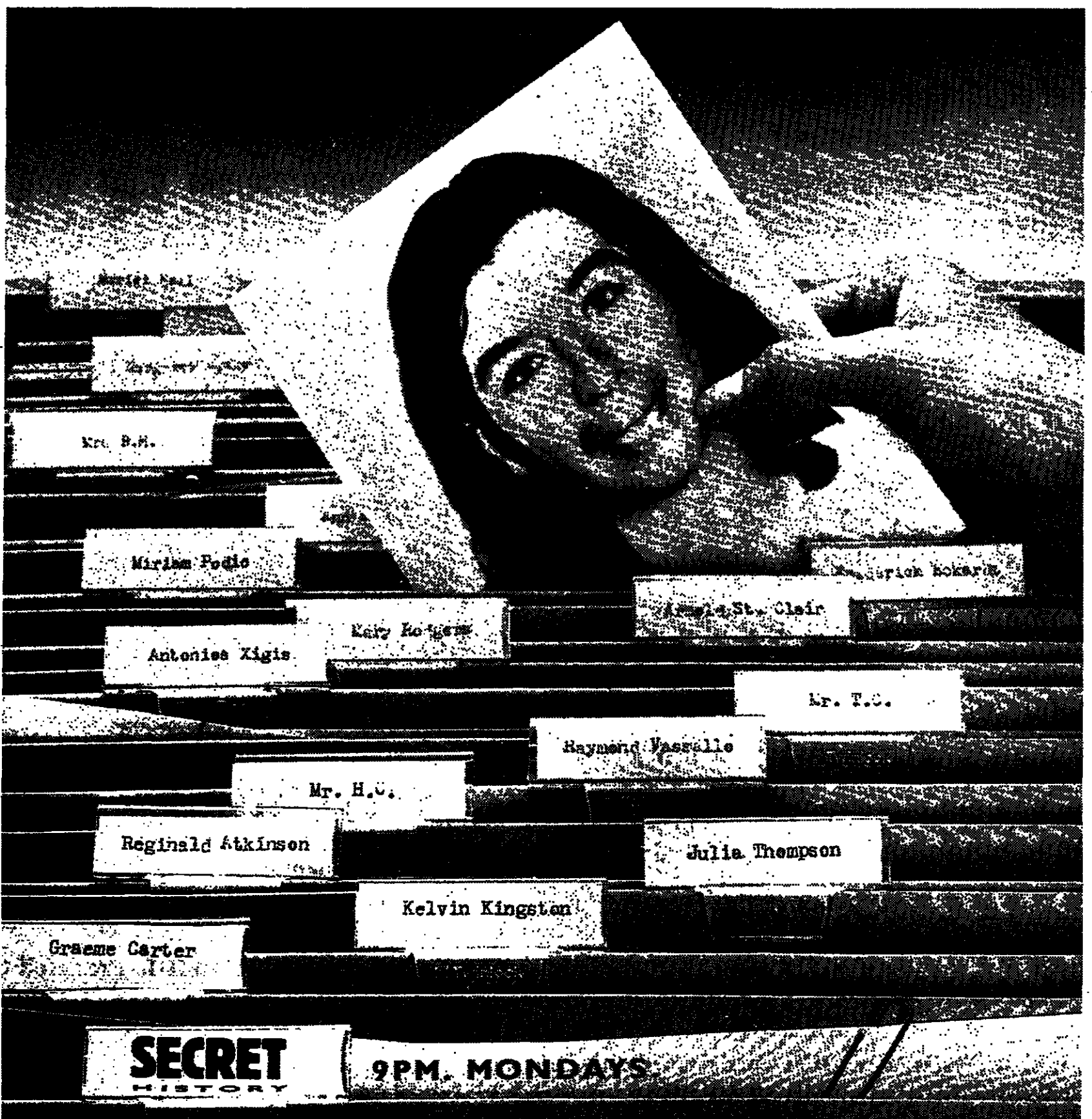
Patients were kept unconscious for weeks at a time with massive doses of drugs. Many were then subjected to daily electro-convulsive treatment, without their consent.

Deep Sleep was often used to treat minor cases of anxiety and depression but left at least 70 patients dead and hundreds more brain-damaged.

Tonight, the award-winning series *Secret History* returns to uncover the truth about shocking events that, over time, have been

obsured by a welter of hearsay and propaganda.

In this evening's programme we expose the gross negligence that surrounded Deep Sleep Therapy and reveal why the authorities took 15 years to wake up to its true horror.



SECRET HISTORY

9PM. MONDAYS

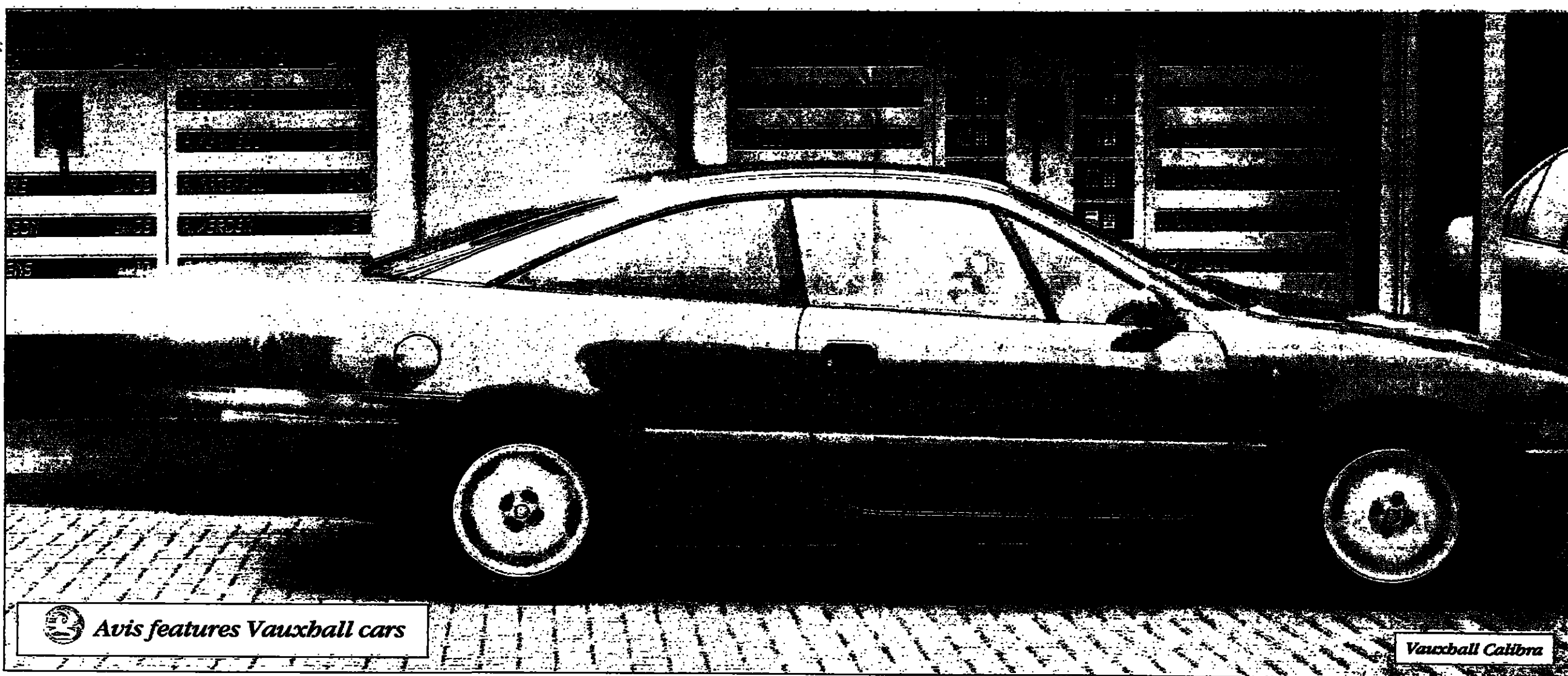
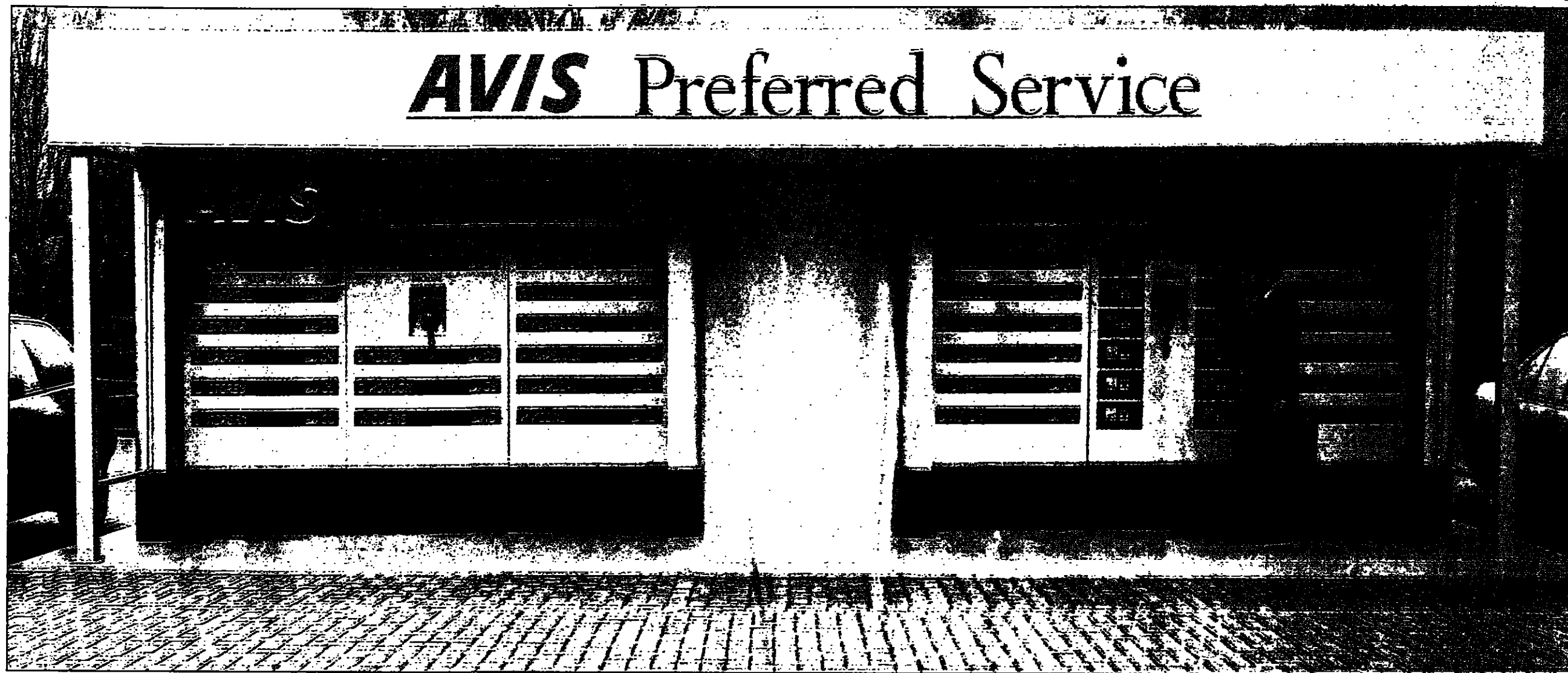
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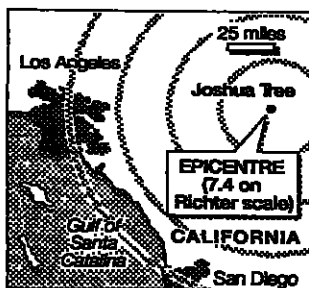
California has worst quake for 40 years

FROM WILLIAM CASH IN LOS ANGELES

SOUTHERN California was jolted awake at 4.58am yesterday by an earthquake measuring 7.4 on the Richter scale. A child was killed, many people were injured, and there was much damage in the worst earthquake in the state for 40 years.

The epicentre of the 35-second quake was outside the small town of Joshua Tree near Palm Springs, 130 miles east of Los Angeles, which experienced a quake measuring 6.1 on April 22 this year. Seismologists at the Caltech geological laboratory said that the shock waves yesterday were felt from Las Vegas to San Diego and further quakes were to be expected over the next 24 hours.

Dr Steve Bryant said: "This is a very major earthquake



and we can expect a lot of damage. It is not the big one, but it is a good test for those waiting for the day that LA caves in."

At 8.01am, a second earthquake caused buildings in central Los Angeles to sway: it had a reading of just over 7 on the Richter scale. Live television broadcasts were in-

terrupted as studio lights and cameras wobbled, and coffee cups spilt on studio sets.

The National Earthquake Centre in Colorado said that the earthquake was stronger than that in San Francisco in 1989 which killed 63 people and caused damaged estimated at up to \$10 billion (£5.3 billion). The centre added: "It is lucky that the area affected has a low population with an absence of high-rise buildings. Had it been dense urban population, it could have been very serious."

Several dozen injuries, including broken ankles, legs and arms were reported in Joshua Tree. A boy, aged two, died when a chimney collapsed on him.

In Anaheim, 1,000 guests were evacuated from the Disneyland Hotel after large cracks appeared in the concrete structure. A section of the Golden State freeway was closed and there were widespread reports of buckled roads, burnt-out pylons and people cut off from water and electricity.

Twenty-seven thousand people in south central Los Angeles and Westchester, and 15,000 in San Diego county, had their power supplies cut off. Local television told viewers about emergency procedures at 15-minute intervals.

Despite the seriousness of the earthquake, damage estimates were fairly low, with fewer than ten buildings totally destroyed either through fire or structural collapse. However, Californians, who are normally blasé about such tremors, were uncharacteristically alarmed by the prospect of repeated shocks during the rest of the week.

● **Anchorage:** Mount Spurr, the nearest volcano to this Alaskan city, spewed ash and steam at least five miles into the sky on Saturday. Nobody was hurt. Vulcanologists predict further explosions.

Fallout of coarse, gritty ash from the volcano was reported in small communities in the state's sparsely populated interior, and some air traffic was rerouted. (AP)

Mafia starts hunt for new godfather

FROM BEN MACINTYRE IN NEW YORK

THERE were some notable absences at the funeral of John Gotti Sr, father of the convicted mafia gangster, at the weekend: neither "Dapper Don" himself, who has just started a life sentence for murder and racketeering in America's harshest prison, nor his brother Gene, serving a 50-year term for heroin trafficking, attended the burial of their father who died last week, aged 85.

Many of the usual suspects were apparently present, including at least two who were not invited. In a non-descript brown car across the street from the James Romanelli-Stephen Funeral Home, men from the Brooklyn district attorney's office took photographs of the friends and family of the Gotti patriarch.

The police and FBI believe that since the incarceration of John Gotti, head of the Gambino crime family since he arranged the execution of his predecessor in 1985, family members have started ad-

ressing the knotty, and usually bloody, question of who should succeed him as the head of the most powerful Mafia clan in America.

James Fox, head of the FBI in New York, believes the clan will be forced to select a new leader. He said: "Whether Gotti wants to or not, the other leaders, the capos, are going to insist he turns loose the rein." The obvious candidate is Gotti's son, John Jr, 27. Police say it was John Jr who orchestrated and paid for the riot which erupted outside the Brooklyn court house after Gotti's sentencing. Primogeniture is rarely observed in Mafia families and the heir-apparent is as loathed by the older family members as his father was feared and adored.

Another candidate is Giuseppe Arcuri, 78, the "underboss" whom FBI sources say was appointed to oversee the family's affairs and enforce Gotti's decisions during his pre-trial imprisonment.



Party alliance: Dorothy LeBlond, President Bush's daughter, and Robert Koch, who were married at Camp David. The groom was until a week ago an aide to Senator Richard Gephardt, a leading Democratic critic of Mr Bush

How Mrs America thrives on a fling

A book on women's adultery is speeding towards the top of the best-seller list. Ben Macintyre writes from New York

ROSS Perot's advisers have been trying to work out why women are less convinced by his charms than men.

The answer, if you believe a new book called *The Erotic Silence of the American Wife*, may be his outspoken opposition to adultery. Last month, the Texan presidential hopeful said that he would not knowingly hire anyone who had been unfaithful to their spouse.

But according to Dalma Heyn, editor-in-chief of *Family Health Magazine* and author of the new work on unfaithful women, for many American wives there is nothing better than a little adultery.

Ms Heyn has appeared on almost every talk show in America with her controversial book, which is shooting up the best-seller list faster than

you can say "milkman". Although it is almost 20 years since Erica Jong's *Fear of Flying* suggested that women should feel uninhibited about enjoying sex, Ms Heyn's findings have been hailed by feminists as a revolution in female consciousness. Gloria Steinem said: "Neither women nor marriage will ever be the same again."

After talking with hundreds of married women ranging in age from 20 to 70, Ms Heyn reveals that through extramarital excitement her interviewees discovered their genuine

feelings. In hotel rooms booked by the hour and then over lunch in secluded restaurants, she says, the American woman is finding laughter, liberation and eroticism.

But the unintended conclusion of the book seems to be not that American male lovers are particularly romantic, but that husbands are uniformly ghostly often repressive, periodically impotent and supremely boring.

Perhaps the most remarkable finding in the book is that revealed in a 1985 survey by *Woman's*

Day magazine: only half of the 60,000 women interviewed would opt for the same husband if they had the choice, while men are happier with their married lot — or simply better liars.

While almost every woman complained about her husband, most chose to remain married while committing adultery. For many, the thrill of the fling added the necessary spice to keep tired relationships on track.

The other conclusion to be drawn from the book is that the American wife is not so much silent about her erotic life, as extremely talkative — with one interesting exception. The only woman in 304 pages of titillating details who does not reveal adulterous inclinations is the author.

NEWS IN BRIEF

Body of oil chief is found

New York: The body of Sidney Reso, the kidnapped Exxon oil company executive, has been discovered buried in a New Jersey nature reserve (Ben Macintyre writes). Mr Reso, president of Exxon's international division, had been missing since April 29, when his car was found with the engine running at his suburban New York home.

Arthur Seale, a former Exxon security guard, and his wife Irene were arrested on June 19 after ransom demands for more than \$18 million (£9.5 million) were received.

Afghan leader

Kabul: Burhanuddin Rabbani, 50, an Islamic scholar and guerrilla leader, was named president of Afghanistan. He is the second president of the Islamic government of Afghanistan, taking over from Sibghatullah Mojaddidi. (Reuters)

Aids test order

Singapore: Some Singapore insurance firms are demanding blood tests and answers to lifestyle questionnaires from "high-risk" potential Aids victims, including air crews, male hairdressers, models, masseuses and sailors, a company survey shows. (Reuters)

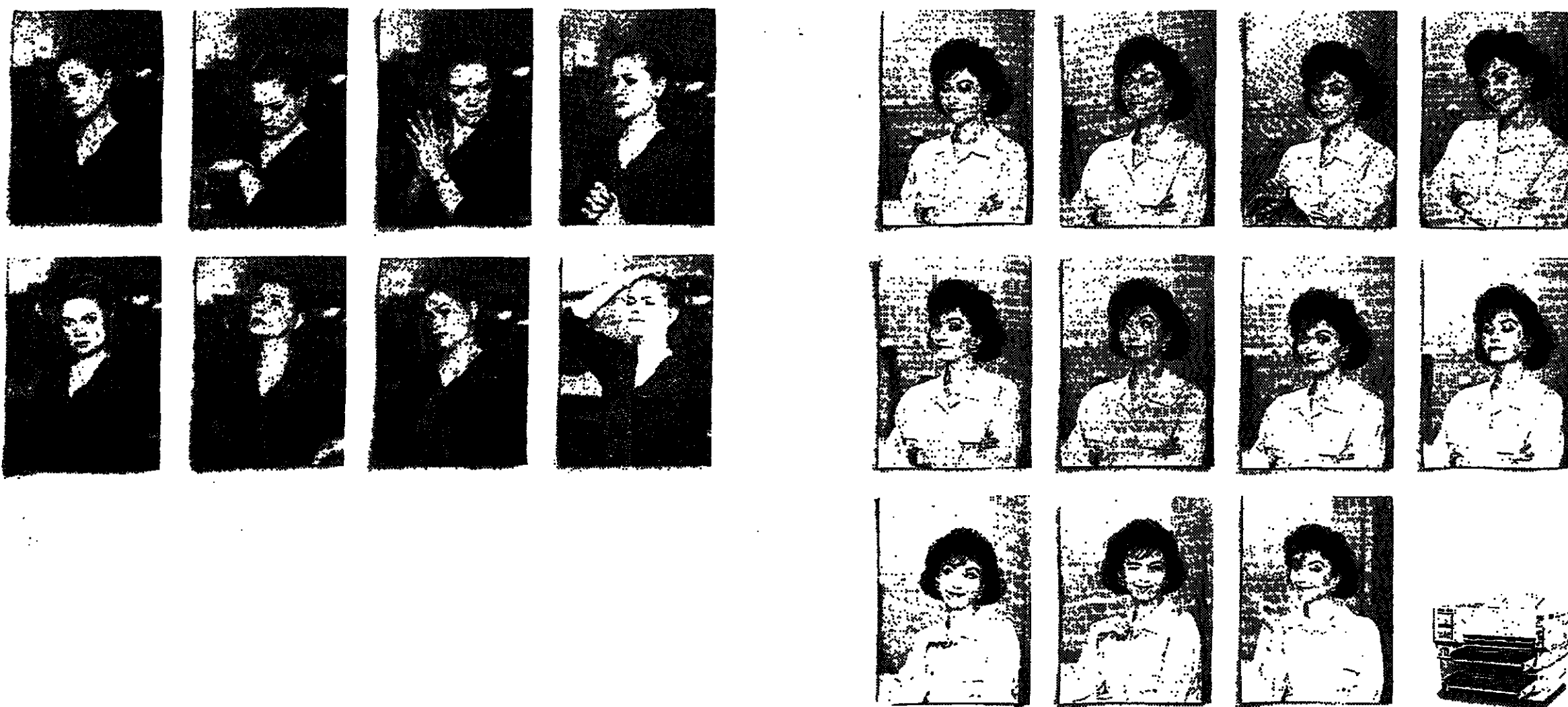
Poll promised

Djibouti: President Gouled Aptidon said a referendum leading to multiparty elections would be held in this Red Sea republic in September. He renewed an amnesty offer to northern rebels provided that they laid down their arms. (Reuters)

Buddha backed

Peking: China's Communist rulers have approved the choice of an eight-year-old boy as the reincarnation of one of Tibet's "Living Buddhas", taking up for the first time since 1959 their right to vet Tibetan religious leaders. (Reuters)

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Do-little summit keeps cash and treaty top of agenda

JOHN Major lost three important fights at the EC's Lisbon summit at the weekend, demonstrating more clearly than any of the summiters intended that the political infighting over Europe in Britain this autumn will be complicated by money and Maastricht.

Although the painful subject of the Danish rejection of the EC's new treaty was mentioned as little as possible, Saturday's treaty summit exchanges over the Community budget revealed thinly veiled tensions over how the EC should cope with the credibility gap which has opened between governments and voters. The summit settled almost nothing, bundled a bunch of problems into the lap of the UK presidency which starts on Wednesday, and left a bad taste in everyone's mouth.

Over Yugoslavia, Mr Major failed to hinder a neatly

choreographed attempt by President Mitterrand of France to seize the public relations initiative in Sarajevo. Of several setbacks, this was the least important. The government is confident of its scepticism over the military support for a humanitarian mission and enjoys covert support from other states nervous that a EC unequipped and underprepared to act as a policeman may founder.

The summit's dominant figures, Mr Major, Mitterrand, Helmut Kohl of Germany and Jacques Delors, had agreed in advance that the quarrel over the EC budget would not be allowed to get out of hand. Even that modest target almost came unstuck as Felipe Gonzalez of Spain accused Mr Major and Herr Kohl of trying to renege on the commitments they made at Maastricht to boost the sub-

BRITISH PRESIDENCY

George Brock in Lisbon and Robin Oakley assess Britain's legacy after policy rebuffs on the issues of Community enlargement and extra funds for poorer member states

sidies to the Mediterranean members of the EC. A stand-off was arranged. Señor González described the summit as unsatisfactory — Eurospeak for dreadful — and is spoiling for an autumn fight over money and threatening that ratification of the treaty will be in trouble in Spain if the rich countries' cheque is not large enough. His bluff will be called in the end, since if the treaty is not ratified the "cohesion fund" for Spain, Portugal, the Irish Republic and Greece will not exist — but clashes will occur

before any settlement. Mr Major cut any reference to doubling money for the EC's poorest regions out of the statement, but most diplomats would draw the conclusion expressed in the private note which the Commission sends to its offices as soon as a summit finishes.

Although no decisions were taken, it says, "it is likely that the agricultural guideline will be continued and that there will be a doubling by 1997 of the financial effort ... in the four poorer member states." Both

these predictions say that UK positions on farm spending and regional subsidy face defeat.

The most serious, and least visible, of Mr Major's reverses occurred over the formula adopted on beginning talks with Scandinavian and alpine states which want to join the EC. Formal talks cannot start until Maastricht is ratified. So the majority of states who remain lukewarm about taking in Austria, Sweden, Finland and Switzerland managed to remove any timetable from their announcement on Saturday. Britain wants to squeeze a handful of new members in during 1995.

One reason why Mr Major is keen to push on with building the wider Community is that the arrival of the comparatively rich European Free Trade Association states will increase the EC's financial pot. The British

also hope that the spectacle of others queuing to join the EC will help to concentrate Danish minds and bring them back on board the Maastricht train. Lisbon showed the other EC states little inclined to help Britain to woo its Euro-sceptics. The "new realism" supposed to have been engendered by the Danish referendum is not all that apparent yet.

Mitterrand, Herr Kohl and M Delors cannot really make up their minds how to deal with Mr Major, who comes to each European summit with an inconvenient list of requests. In Maastricht, bargaining on the small print of a draft treaty six months ago, he won the points which mattered. In Lisbon, fighting on the more traditional ground of drafting worthy formulas about the EC's direction, he lost. Assuming that the French referendum in the

early autumn backs the treaty, the next stage of EC political and economic union turns on the Commons. If Britain does not ratify, the treaty would be impossible to rescue without a full-scale negotiation between countries which wanted to start again. If MPs do pass the bill, a series of options will be considered for sorting out Denmark.

The one success that Mr Major can claim from Lisbon in terms of his own party problems was on subsidiarity, the doctrine that less should be done by the EC institutions and more by national governments or bodies even closer to the people. The other EC states have agreed that all present EC legislation has to be examined to see that it meets subsidiarity criteria, although not until the end of next year. In the interests of enticing back the Danes and pacifying his own

back benches, Mr Major is calling for the Commission to scrap outmoded directives and to justify anything it plans to do in future against subsidiarity criteria. He wants, and M Delors seems on the point of conceding, a "subsidiarity filter" to stop the Commission taking on tasks in future that are better done by member states or at still lower levels.

However, Mr Major has offered no shopping list of the old directives he wants scrapped. Britain too has to devise some appeal procedure for those member states that wish to challenge on subsidiarity grounds the Commission's insistence that it should take a particular action. On its track record so far, Britain is hardly going to settle for the European court.

Leading article, page 15

Thatcher pledges to vote against Major

By SHEILA GUNN, POLITICAL CORRESPONDENT

MARGARET Thatcher yesterday made it clear she would vote against the Maastricht treaty in the Lords in contradiction to John Major's insistence that Britain is honour bound to ratify the deal. Maastricht is a treaty too far, she said, and would lead to a massive transfer of power to the European Commission.

As she prepares to return to parliament tomorrow as Baroness Thatcher of Kesteven, the former prime minister gave ministers a taste of her potential to cause trouble from the Conservative benches in the Lords by disagreeing with Mr Major on virtually every aspect of European policy.

She is expected to reiterate her views in the Lords debate on Thursday on the United Kingdom's presidency of the EC, ignoring the standing order that maiden speeches should be unprovocative.

During an interview on TV-am's *Frost on Sunday* Lady Thatcher repeated her demand for a referendum on Maastricht and, unlike her successor, interpreted the treaty as a centralising rather than decentralising measure.

MAASTRICHT DEBATE

Britain should "forget Maastricht".

She disputed the reappointment of Jacques Delors as EC president for a further two years, backed by Mr Major, as wrong and described subsidiarity, the principle seized on by Mr Major for returning powers from Brussels to nation states, as gobbledygook.

The former prime minister singled out for praise the Danes for saving parliamentary democracy by voting against ratifying the deal reached last December. Asked if she would vote against the ratification bill in the Lords she replied: "Most certainly, I didn't vote for the treaty of Maastricht."

"Maastricht is a treaty too far. I most earnestly hope it will not be ratified. It takes so many powers from ours, the oldest parliament in the world, which has been the example and inspiration to others."

Like Denmark, the British

government should have a referendum to let the people speak as the treaty's plans for a single currency, a common citizenship, and common foreign and defence policies were constitutional issues. "If the people have their say, it will be dead and we are answerable to the people. I think Maastricht should be dead."

With Mr Major focusing the attention during Britain's presidency of the EC on strengthening the principle of subsidiarity, Lady Thatcher read out a letter from Lord Mackenzie-Stuart, former president of the European Court of Justice, in *The Times* on June 15. The letter said the treaty's definition of subsidiarity was too long to quote but "it is a rich and prime example of gobbledygook embracing simultaneously two opposed concepts of subsidiarity."

Lady Thatcher said: "That is what it is: gobbledygook." Referring to the EC commissioners she added: "Do not look at what they say, look at what they do."

Later she commented: "They got rid of commissioners in eastern Europe. We have still got the commissioners answerable to nobody."

Lady Thatcher defended her support in 1988 for reappointing M Delors to serve until the end of this year on the grounds of seeing through the creation of the single EC market. But, since then, he had increased the bureaucracy, bringing in too many EC laws by majority rather than unanimous voting.

"Under all the circumstances it would have been better to have a change," she said. "To suggest that there is no-one there who is suitable to be president of the commission I thought was an insult to many who are there."

If she had remained prime minister, she predicted the Conservatives would have won the last general election, although she could not say if their majority would have been different, because people respected her strength and principles.

She implicitly apologised to Mr Major for her comments in the *Newsweek* interview suggesting that he was not his own man. She meant, she said, that he became his own man on becoming prime minister and party leader in 1990, not when he won the election. "I am sorry that was taken the wrong way."

Major's pledge, page 1
Peter Riddell, page 14

King of the F-word adapts to new order

FROM GEORGE BROCK IN LISBON

SEVERAL of Jacques Delors' senior advisers in the European Commission hang a large picture of his president in their Brussels offices. In the photograph, M Delors is smiling and shaking hands with a crowd which waves miniature blue-and-gold EC flags.

The picture captures the Delors cult of personality at its peak in the late 1980s when the president reaped the benefits of launching the 1992 single market programme. Hopes for a united Europe rose again as its intertwined economies boomed. M Delors' fame on the Continent was clinched by Margaret Thatcher's eulogy: being targeted by the Iron Lady turned him into a hero from Mannheim to Madrid.

But the image belongs to a vanished past. Britons now ask whether M Delors is really the contrite civil servant of the weekend's Lisbon summit. Other Europeans ask whether he has not made a

gigantic miscalculation by preaching an unattainable federal Europe. M Delors remains a hugely popular figure, and not merely in his native France where, if opinion polls are any guide, a presidential election held tomorrow might well see him elected. He no longer has a big idea to sell. Europe cannot agree what its big idea should be: federalism or subsidiarity? Political union or economic integration?

As he cruised to a new two-year term at the head of the Commission, confirmed at the Lisbon summit, M Delors reverted to his low-profile role as a "bon fonctionnaire". Gone is the impassioned orator who declared on the eve of the Maastricht summit that "federalism is not a porrographic word". As he spoke, the Community's 12 leaders were removing the "f-word" from the treaty on political and economic union.

M Delors' stilted attempts to adapt to the fluid uncertainties of an EC agenda profoundly altered by the Danish referendum are sincere. He is at heart a manager and civil servant. The Treaty of Rome charges the Commission president to uphold the ideas of European union, but his exhortations are usually scholarly and dull.

At 67, he has only once held elected office, a single term in



Staying power: Jacques Delors summing up the results of the Lisbon meeting. His new term of office will be profoundly affected by the Danish referendum

the European parliament. He is not at home in a Europe in which the grand designs of European union are disrupted by crowds of gently anarchic Danes taking advice from their country's leading rap group to dump the Maastricht treaty.

M Delors can claim with perfect justice that he is no late convert to the idea of subsidiarity, the assertion developed from Roman Catholic social doctrine that power should be held at the most local possible level. He first began talking about the idea in 1988, when the powerful German regional governments started fretting about the threat that Brussels posed

to their prerogatives. M Delors' dissections of subsidiarity are by no means the end of the British government's problems with this elusive idea. He remarked privately last week that no sooner had he launched his thoughts on subsidiarity inside the 17-member Commission than he began hearing 16 different versions of what the word means.

M Delors has recently diluted the federalism that he preached in earlier years: he lays heavier emphasis now on the staying power of nation states. He sees the issue of balancing power inside the EC as one of regulating the internal mechanism of a

monolithic system. He is a decentraliser, but he assumes that devolution of less important powers is in the gift of a single, powerful centre. The Community's decisions should affect the issues that can make Europe a political and economic superpower.

In a revealing phrase in their report on enlarging the EC, the commissioners acknowledged that the EC was too often bogged down in secondary matters and gave "no leadership on questions of vital importance". M Delors stays as determined as ever to have money and military force decided by the Community.

Lamont lands in tax war

By SHEILA GUNN

NORMAN Lamont faces a fresh battle of wits today with the EC tax commissioner Christiane Scrivener as she tries to force Britain to adopt a legally binding minimum value-added tax rate of 15 per cent from next January.

The chancellor is treating the meeting of Community finance ministers in Luxembourg as a test of the Commission's seriousness about adopting a more decentralised stance. For more than a year, he has been fighting attempts to impose legally the VAT rate as part of the single European market by arguing that Britain would prefer a gentlemen's agreement between the member states to a legally binding provision. Britain's domestic standard rate of VAT stands at 17.5 per cent and the government has made clear it has no intention of changing the rate in the foreseeable future.

Mr Lamont disputes the EC commissioner's argument that the minimum rate must be enshrined in European law as part of the completion of the internal market.

Mme Scrivener warned the chancellor this month that refusal to accept a legally binding agreement might tempt the Commission to look again at the range of good and services in Britain, such as food and children's clothing, which are zero-rated. Until now, they have been guaranteed exemption from the proposed 15 per cent VAT rate under the EC's sixth VAT directive.

With Britain about to assume the EC presidency, Mme Scrivener is expected to use today's meeting as a final attempt to rally support from other member states to force agreement from Mr Lamont.

However, Mr Lamont is preparing to counter by persuading his fellow finance ministers that, when the borders come down, market forces should ensure free competition so that there is no need to juggle the national rates of VAT artificially.

European door is kept open

NEIL Kinnock yesterday refused to rule out the possibility of becoming a European commissioner although he insisted that, at this stage, reports of such an appointment were no more than "mind-boggling" speculation (Sheila Gunn writes).

Questioned on TV-am's *Frost on Sunday* about his future after stepping down as Labour leader next month, Mr Kinnock appeared satisfied with the prospect of returning at the age of 50 to the backbenches and a seat on the party's ruling executive.

However, he did not dismiss the idea of replacing Bruce Millan as one of Britain's two EC commissioners. Nor did he reject taking the post of foreign secretary, in a Labour government under John Smith.

His comments follow signs of growing enthusiasm among EC leaders and officials at the Lisbon summit at

the weekend for Mr Kinnock to become a commissioner. He has formed close links with European socialists and presented his party as firmly pro-EC at the election.

Government sources have made clear that John Major would be prepared to put forward Mr Kinnock's name if nominated by the new leader of the Labour party.

In the television interview Mr Kinnock said he was going to be around for a long time. "There are certain causes that I want to promote and they include causes that can be described as EC causes. So I'm not going to sit here at 50 years of age and say never in the whole of the future would I even contemplate it (the post of EC commissioner). But it's not even a realistic idea now."

He also left the way open for Labour to change its mind about opposing a referendum on the Maastricht treaty. If the constitutional problems over the future roles of the British parliament and the EC were to continue for a long time, he indicated that it might be necessary to seek the electorate's endorsement.

Beach patrols issue sun, sea and sewage warning

Millions of tourists who travel to Italy this summer in search of sun, sea and sand may find themselves wallowing in sewage, scientists from an environmental watchdog body said yesterday.

The Lega Ambiente (Environment League) sounded the alarm over the parlous state of the Italian seaside after the scientists began collecting samples of seawater in two survey ships known as green schooners. The results on the quality of the sea at popular beaches in Campagna and Lazio in the south, and Veneto, Friuli and Venezia Giulia, between Venice and Trieste, conflict with government information on several beaches officially fit for bathing.

The pressure group says that is because the government is using research col-

Scientific tests have shown that many of Italy's favoured seaside spots are unfit for bathing, writes John Phillips

lected last year while their survey was carried out this month. "The data gathered so far unfortunately confirms everything bad that one knew already about these stretches of coast," Lucia Venturi said for the Lega Ambiente.

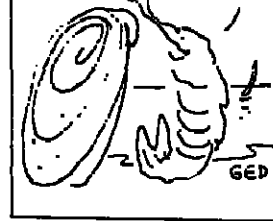
All ten areas surveyed in Campagna, from the southernmost tip of the Bay of Naples northwards, proved worthy of "black flags" to discourage bathers, the report said. Analysis of seawater taken from off the shores of Naples showed a pollution level 150 times higher than the limit recommended by Italian law, according to the report.

Seawater at some beaches on the island of Ischia was said to contain pollution 15 times over the limit.

Eight of 12 areas surveyed off the central coast of Lazio also proved polluted beyond the limit, including the seaside at Fregene, the resort favoured by Rome's film stars, and Terracina, which has been a fashionable beach spot since classical times.

Refreshing exceptions where the sea was well below the limit were registered at Sperlonga, the fishing village favoured by artists, and at beaches near the port of Civitavecchia.

We're part of the effluent society



Eleven of 15 samples in a stretch of the northern Adriatic coast also showed excessive levels of pollution, according to the pressure group.

The Lega Ambiente hopes that the surveys will encourage thousands of volunteers to turn out to clean beaches on the peninsula. Francesco De Lorenzo, the Italian health minister, has something else to worry him, meanwhile. He has

opened an enquiry into tax evasion on Capri after learning that at least 70 per cent of the resort island's residents claim free prescriptions for medicines, apparently on the ground of poverty.

The minister said that he began the investigation while lunching at one of his favourite restaurants near the island grotto. The proprietor complained that his waiters were among the few islanders paying taxes.

"I discovered that there are many people exempt [from prescription charges] in the island, perhaps 70 to 80 per cent of the population. We live in a corrupt society. The health sector suffers from it as well. I will order a deeper investigation into Capri even though it is part of my constituency," the minister said.

Amato forms cabinet

Rome: Giuliano Amato, the incoming Italian prime minister, yesterday agreed to form the 51st government of the postwar republic and unveiled a cabinet sprinkled with new faces selected to undertake sweeping political and economic reforms (John Phillips writes).

Signor Amato, 54, a socialist intellectual, faces a confidence vote in parliament this week. In principle he commands a slender majority of socialists, Christian democrats, liberals and social democrats, but commentators question whether his cabinet will survive much beyond the summer holidays.

He emphasised the new faces in his team, such as Piero Barucci, the treasury minister, who is managing director of the Credito Italiano bank, and Alberto Ronchey, former editor of *La Stampa*, who becomes minister for cultural heritage. Carlo Ripa di Meana, the socialist European environment commissioner, will be environment minister.

Last week Signor Amato unveiled plans to tackle the public sector deficit and give priority to electoral reform, curbing corruption and fighting organised crime. More than 100,000 people took part in a demonstration against the Mafia in Palermo on Saturday, paying tribute to the murdered anti-Mafia judge, Giovanni Falcone.

Estonians vote

Tallinn: Estonians voted yesterday to confirm the first new constitution in the former Soviet Union. Opinion polls suggest it was passed overwhelmingly, however, most of the republic's 38 per cent Russian population were barred from voting.

Hashish seized

Málaga: Spanish customs agents seized almost a tonne of hashish from a boat off the coast east of Málaga yesterday and arrested a Moroccan. The haul brings to nearly 3,700lbs the amount of hashish seized in the area recently. (Reuters)

Penalty call

Stockholm: The case of a man convicted of attempted murder and several robberies over 30 years, and now accused of robbing a bank two days after discharge from a psychiatric hospital, has revived demands for tougher penalties in Sweden. (Reuters)

Twenty plus

Vaduz: Liechtenstein has rejected plans to lower the voting age from 20 to 18. The government said 56.3 per cent of the electorate had voted against a proposed constitutional amendment. Liechtenstein has a population of about 28,000. (AP)

Race poll

Lille: Voters in the depressed French town of Hautmont, which has an 18 per cent North African population, voted to halt immigration in a referendum yesterday. The poll was criticised by the government and anti-racism campaigners. (Reuters)

Strayed lion

Helsinki: Reports of a lion roaming southeast Finland were laughed at until police issued a warning against visiting forests there. Erik Nyholm, chief of the Game and Fisheries Research Institute, said tracks were found of a big feline. (AP)

Serb I warns of Vie quag

Coup de lawes opp

TV cover

Serb leader warns West of Vietnam quagmire

FROM TIM JUDAH AND DESSA TREVISAN IN BELGRADE

RADOVAN Karadzic, the Bosnian Serb leader, has never minced his words. He said at the weekend: "If there is armed intervention over Sarajevo, Bosnia will turn into a new Vietnam. This is not an ideological but a civil war. We shall fight to the death." But even as he spoke his men were withdrawing artillery and tanks from around the besieged city's airport.

With Croat forces rampaging across Bosnia, Serb forces in retreat and Serbia on the international rack, to fight the world to keep an airport would be a foolhardy gesture at best. Taking the threat of military intervention extremely seriously, the demoralised Bosnian Serb forces are now turning to saving what they can.

Bosnian Croat forces, backed by Croatia, are moving in a pincer movement to cut the republic in two. They are also thrusting across the frontier near Dubrovnik to break their revenge on Trebinje, where Serb troops besieging the Adriatic ports have their headquarters.

At the weekend Boutros Ghali, the United Nations secretary-general, praised Serb forces for withdrawing from around Sarajevo airport but criticised Bosnian territorialists for ceasefire breaches. Diplomats in Belgrade say that the fear is that Croatia has been egging the Bosnians on to provoke the Serbs precisely in order to trigger a full-scale military intervention.

If this happens, then Zagreb would seize the opportunity to drive Serbs from the UN-protected enclaves in Croatia and a dramatic and bloody new cycle of vengeance and "ethnic cleansing" would begin.

In Belgrade, official Serbia has been curiously quiet about the impending threat of intervention. President Milosevic insists that he is appalled by the shelling of Sarajevo, that Serbia has no territorial designs on Bosnia, and that his country is the victim of an "international

media conspiracy". But the war that Mr Milosevic and his allies began a year ago has now run utterly out of control. All the best-laid Serbian plans are on the brink of disaster. Greater Croatia may yet arise from the ashes of greater Serbia.

Radovan Karadzic is now shunned by Mr Milosevic, at least publicly, but fuel supplies are still reaching the Bosnian Serbs. Serbia is also collaborating in "ethnic cleansing" in eastern Bosnia. For several days, a thousand Bosnian Muslims have sat in trains in the northern Serbian town of Subotica after being cleared by force from a town in eastern Bosnia.

By contrast, the country is rapidly waking up to the fact that fresh trainloads of Serbian refugees will soon be coming from Croatia and Bosnia. It is also clear that, having bequeathed the Bosnian Serbs vast amounts of weaponry from the former federal army, they are now no longer at the beck and call of the Serbian president. Faced with military defeat, they will continue to fight rather than lay down their arms to save Mr Milosevic or to have sanctions lifted from Serbia.

Even the immediate departure of Mr Milosevic would no longer be enough for Serbs to extricate themselves successfully from the present predicament. A new Serbo-Croat war cannot be excluded.

War in the south in Kosovo is also on the agenda. Having brutally repressed the autonomy previously granted to the two million Albanians who live in the province, no peaceful accommodation with Serbia is possible; but not even the most liberal Serbian opposition politicians can contemplate conceding Kosovo's independence or union with Albania.

Mr Milosevic's options are diminishing. Allies are deserting him and he has begun to resort to eccentric suggestions such as confederation with Greece.

Mitterrand mission, page 1

Coup de théâtre awes opposition

FROM CHARLES BREMNER IN PARIS

LIGHT sniping from the opposition did little to quell a wave of admiration in France yesterday for the personal courage and political initiative that President Mitterrand displayed in staging his lightning trip to Sarajevo.

While the country held its breath for the safety of the president and Bernard Kouchner, the humanitarian action minister who accompanied him to Bosnia, the Elysee announced the departure for Sarajevo of two military cargo aircraft carrying tons of medical supplies.

In the media and in public gathering places there was widespread admiration for M. Mitterrand's decision to stage a coup de théâtre that broke weeks of waffling over the Yugoslav wars by statesmen and international bodies. "It's a crazy gamble,

but fantastic," *Le Journal de Dimanche* said.

Valéry Giscard d'Estaing, the former president, paid tribute to the president's courage but said he wished that M. Mitterrand had decided to go it alone. *Le Figaro* mixed its praise for the president with concern over damage to European efforts to speak and act with one voice on foreign policy. "M. Mitterrand has always known how to seize the moment with panache and turn it to his profit," it said.

"I don't think much of M. Mitterrand," a concierge on the Left Bank said, "but he went in there and all those Americans and English didn't."

Finest hour, page 14
Diary, page 14
Leading article, page 15



Royal progress: Crown Prince Alexander Karadjordjevic, pretender to the Serbian throne, greeting supporters as he crossed into the former Yugoslavia from Romania on his way to Belgrade. Later he addressed a crowd at an opposition rally that was demanding the resignation of Slobodan Milosevic, the Serbian president

Bush weighs advantages of using military in Sarajevo

FROM MARTIN FLETCHER IN WASHINGTON

PRESIDENT Bush, facing an agonising election year decision on whether to commit United States forces to the relief of Sarajevo, conferred urgently with other world leaders on Balkan developments over the weekend.

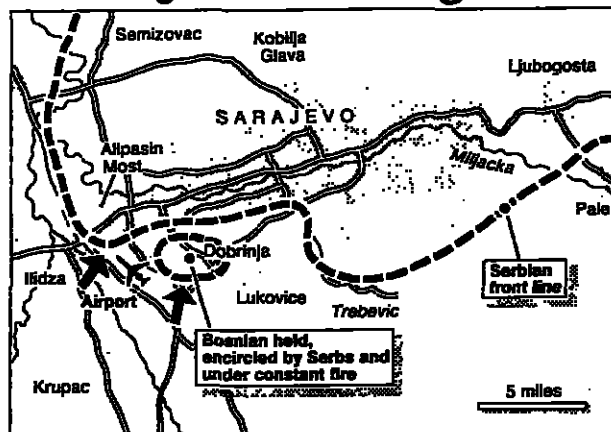
Following the EC's endorsement on Saturday of military force and with the UN's 48-hour deadline for an end to the fighting due to expire last night, Mr Bush took time, on his daughter's wedding day, to telephone leaders including John Major, President Yeltsin of Russia and Brian Mulroney, the Canadian prime minister.

The unpopular president knows that a swift, decisive operation could secure his reelection in November but a messy, protracted involvement would only deepen his vulnerability. There is minimal enthusiasm in Washington for using force but most diplomatic options have been exhausted.

The United States has reportedly refused a German request that it send the Sixth Fleet from Sicily to the Balkan coast. Officials say that if the Americans did participate in a United Nations operation it would be in an air role at most and would insist that European nations provide the ground troops.

The president's top advisers remain split on the issue of military intervention. James Baker, the Secretary of State, believes strong action is now essential to end the "humanitarian nightmare" in Bosnia and is expected to mount a diplomatic drive this week to secure the necessary UN authorisation.

The Pentagon, appalled by the scale and hazards of the required operation, is strongly opposed. The United States should not participate in any relief operation until a "permissive environment has



been clearly framed by the Serb belligerents", it argued in a classified internal memorandum.

Military planners believe that a military thrust to reach and secure Sarajevo would require two divisions or as many as 40,000 ground troops, preceded by a possible parachute assault and an air offensive to take out Serbian mortar, artillery and anti-aircraft positions in the hills around Sarajevo.

Just how difficult that would be was demonstrated by the inability of American planes to destroy Iraq's Scud missile launchers during the Gulf war. Defence officials also recoil from the open-ended nature of such an operation.

After Friday's White House meeting of the president's top security advisers, Brent Scowcroft, the national security adviser, said the Yugoslav conflict was as "intractable" as those in Beirut or Northern Ireland. It would be "the stickiest kind of conflict possible", said the former general, and he is relatively hawkish on the question of military intervention.

He refused to speculate on the possibility of air attacks on Serbian artillery and mortar positions and said the White House meeting, also attended by Colin Powell, chairman of the Joint Chiefs of Staff, had discussed "a

number of options," of aiding Bosnia.

In contrast to the Gulf war, Washington is eager for the Europeans or the United Nations to appear to be taking the lead this time, arguing that this is a strictly European matter.

With regional conflicts breaking out in the former Soviet bloc, it is also anxious to avoid setting a precedent by rushing to intervene in this one. Vladimir Lukin, the Russian ambassador to Washington, indicated last week that his country would be willing to join a military operation to relieve Sarajevo.

"Why do you consider that Russia should play a passive role and Nato should intervene by itself?" he asked reporters. "There are other organisations... We should discuss it, all of us."

With American TV's nightly pictures of the bloodshed in Bosnia, congressional and media pressure for action is growing. The administration was moving closer to military intervention to relieve Sarajevo, said *The Washington Post*, but not close enough.

There is urgent humanitarian reason to stop this behaviour, and a basic political reason. In a world fraught with real and potential ethnic conflict, there must be rules of the game. Protecting civilians must become rule number one."

UK troops unlikely in airlift

BY MICHAEL BINYON DIPLOMATIC EDITOR

ALTHOUGH the European Community agreed in Lisbon to use all measures necessary to reopen Sarajevo airport, Britain is unlikely to contribute troops to any UN airlift.

Confirming Britain's reluctance yesterday, Douglas Hurd, the foreign secretary, added however: "We are putting together the aircraft necessary, the supplies that are necessary." He told BBC television's *On the Record*: "I am sure it could be done but it would be much easier to get in than to get out."

The EC summit resolved to use all measures necessary to reopen the airport and deliver humanitarian aid to Sarajevo and surrounding areas. "The EC and its member states are ready to co-operate in this as far as is legally and practically possible. This may include airborne humanitarian aid. While giving priority to peaceful means, the European Council does not exclude support for the use of military means by the UN to achieve these humanitarian objectives."

Mr Hurd said Britain believed fighting could worsen rather than over the next few months. He admitted that others such as Italy appeared more willing to take the risk.

Mr Hurd will visit Yugoslavia next month when Britain assumes the EC presidency and will discuss the situation there with Boutros Boutros Ghali, the UN secretary-general in London.

In Lisbon Mr Major warned the West that it could become embroiled in a bloodbath.

Crown Prince joins protest

BY TIM JUDAH AND DESSA TREVISAN

BLOWING kisses to the crowds, Crown Prince Alexander yelled at the top of his voice: "I am with you." The pretender to the throne of Serbia returned to his country on Saturday and yesterday addressed more than 60,000 people at an opposition rally in central Belgrade.

Alexander Karadjordjevic, hitherto a British businessman, has returned to Serbia as the opposition marshals its forces in a last-ditch effort to secure President Milosevic's resignation. But officials at yesterday's rally admitted disappointment at the turnout.

Crown Prince Alexander who, because of international sanctions, was forced to return via Timisoara in Romania, visited striking Belgrade University students on Saturday night and urged them to keep up their protest against Mr Milosevic "until the end". The students gave him a rapturous welcome, chanting in unison: "We want the king!"

The rally, which was held on Vidovdan, the day on which Serbs commemorate their defeat at the hands of the Ottoman Turks in 1389, was blessed by the country's Orthodox patriarch. The church, a traditional ally of government in Serbia, has made its opposition to Mr Milosevic's government explicit over the past two months, and yesterday the patriarch appealed for Serbs to resolve their differences without resort to civil war.

The demonstration was organised by a new coalition, the Democratic Movement for Serbia, but the most important speaker was Vuk Draskovic, leader of the main opposition party. He called on the army and police to "join the Serbian people" and appealed to Mr Milosevic to go, saying that, if he did not, "Serbia will be a corpse; people will pick it up".

Mr Draskovic, the only speaker to tackle the thorny question of war guilt, also told the crowd that Serbia needed to seek repentance for its acts. He spoke of the people of Sarajevo "eating grass and nettles", and predicted that unless Mr Milosevic resigned this would be Serbia's fate too. Mr Draskovic said that President Milosevic claimed "that the cause of our downfall is that we are Serbs. He has a therapy — stay in the abyss, starve, or die heroically in the struggle against the whole world".

Mr Draskovic said that a resolution of the present troubles could be found only if all Serbia's political movements thrashed out the foundations of a transitional coalition government through round-table talks.

While the opposition to Mr Milosevic becomes steadily stronger, the turnout at yesterday's rally seems to indicate that their moment has not come yet. Nevertheless many demonstrators last night declared their intention to camp in central Belgrade until the president goes. Sava Kostadinovic, a protester from the provincial city of Nis, said: "We shall get rid of this communist scum. The one who tries to stop the wheel of civilisation will fall under it and be crushed."

● *Sop to Greece:* European Community leaders, in a concession to Greece, said on Saturday that they are ready to recognise the republic of Macedonia, but only if it does not call itself by that name. The decision was aimed at ending months of deadlock during which Greece vetoed EC recognition of the former Yugoslav republic if it called itself Macedonia.

Athens accuses the government in Skopje, which declared itself independent in March, of trying to usurp the northern Greek region of Macedonia. (AP)

TV coverage draws flak

FROM BRUCE CLARK IN MOSCOW

MOSCOW television, already seen by many former Soviet republics as a purveyor of mischievous disinformation, was the object of further controversy yesterday after it appeared to have exaggerated wildly the scale of a skirmish between armed factions in Muslim Tajikistan.

The main news bulletin of the television channel of the Commonwealth of Independent States, which is watched across 11 time zones, suggested that 100 people had been killed in clashes at three villages near the Afghan border. In a report that could have stirred passions in other Muslim regions of the former Soviet Union, it said there were women and children among the dead and that many of the corpses were unidentified.

Yesterday, it emerged that the encounter between supporters of President Nabyev, Tajikistan's communist leader, and residents of the remote Kurgan-Tyube region had been much less serious

than commonwealth television had suggested. An official of the Democratic party, part of the liberal-Muslim coalition that recently forced Mr Nabyev to share power with his opponents, said about 15 people had been injured, one critically. He said local residents had successfully thwarted an attempt by pro-Nabyev irregulars to seize control of the remote region.

Sherali Khairullayev, Tajikistan's deputy interior minister, said he had received reports of up to ten violent deaths in the region, but nothing had occurred on the scale described by the broadcast. "We protest strongly at the gratuitous stirring up of passions over the social and political situation in the republic by the Russian and commonwealth mass media," he said.

The headquarters of the commonwealth television station, at Ostankino in northern Moscow, was picketed and nearly stormed earlier this month by hardline com-

munist who were protesting at their lack of access to the official media. Today, pro-Yeltsin reformists plan to hold a counter-demonstration at the site.

● *US prisoners:* A Russian official heading a search for missing American prisoners of war in the former Soviet Union said yesterday that four Americans had been held at a Soviet psychiatric hospital in 1953.

Earlier, *Itar-Tass* news agency said that at least one American prisoner of war was buried near the central Russian city of Tambov, south-east of Moscow. That was the first tangible result of an intensified hunt for Americans missing after the second world war and the Korean and Vietnam wars.

General Dmitri Volkogonov, who heads a joint Russian-American commission on prisoners of war, said in a television interview that there were no clues yet on the identity of those held in the psychiatric hospital.

Army chief issues plea to officers

FROM MARY DEJEVSKY IN MOSCOW

IN A document indicating a steep decline in the morale of the former Soviet armed forces, General Pavel Grachev, the Russian defence minister, has appealed to all Russian officers to stay at their posts and play their part in building the new army.

His appeal, published at the weekend in *Krasnaya Zvezda*, the army newspaper, assured officers that there was no question of "wholesale demobilisation". He said: "Demobilisation will be conducted stage by stage as the forces are reformed." He promised that ministers would solve the social problems facing officers and their families "as a matter of top priority".

Demobilised officers and those withdrawn from Eastern Europe are facing an acute shortage of accommodation and employment.

Priest ministers in Moldavia rubble

FROM ROBERT SEELY IN BENDERY

FATHER Anatoli, a Moldavian Orthodox priest, crossed himself twice as he ran past the hulk of a burnt-out and bullet-ridden lorry. The priest has been busy this week. More than 300 people have been killed throughout Transdnestr as Russian rebels try to carve out a mini-state from the former Soviet republic of Moldavia.

Elsewhere in Bendery, few people were venturing on to the streets. Those who had decided not to evacuate their families after a week of fighting were seeking refuge in their cellars.

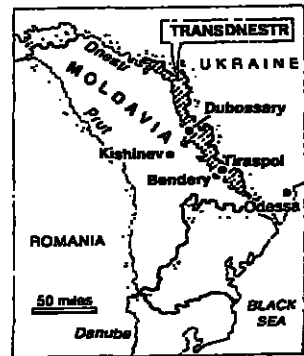
Around Bendery, lies the wreckage of an increasingly vicious civil war. The rusting shell of a T64 tank sat on the bridge over the river Dniestr which connects Bendery with the rest of the self-proclaimed Transdnestr republic on the left bank of the river.

Five wrecks, including two lorries, a jeep, an artillery piece and an anti-aircraft gun littered one street corner near the Transdnestr headquar-

ters in Bendery's former town hall, now itself pitted with bullet holes. Dozens of Transdnestr's irregular troops were yesterday encamped in the buildings' cellars. Most of them were, until less than a month ago, civilians working in the town's defence-related industries. Their military kit usually extends to machinegun, invariably with two or three magazines wrapped by blue sticky tape, and a shabby uniform.

More than 1,500 Moldavian police and interior ministry troops are ranged against them. The Transdnestrans control about 50 armoured vehicles, "loaned" by the 14th Russian army which is stationed in the region. The Moldavians possess dozens of armoured personnel carriers and up to 25 tanks. Vyacheslav Kogut, the mayor of Bendery, says: "We have enough for an effective defence."

Many of his men look frightened and all have itchy



fingers on their triggers. Some, after a week's violence, have ceased to care for their personal safety. "This is a war in the name of the people. The Moldavian police are no better than Nazis," said Vyacheslav Melnichuk, a slightly built bespectacled 32-year-old who looked as if he would be more at home with computers than weapons.

Mr Melnichuk was heading to Tiraspol, separatists "capital", to sign up for a sub-machinegun and a uniform. "After what has happened here in the past week, we have been forced to take to weap-

ons to defend ourselves against Moldavia's police," he said.

The relationship between the 14th Russian army and the Moldavians has also worsened. Although there are no Russian officers manning the barricades in Bendery, they have taken up police duties in areas of Transdnestr to enable the Transdnestrans to field a larger number of men in clashes with the Moldavians.

Discipline in the army is being strained by the war. Many of the officers were brought up in the region and local loyalties have now usurped their willingness to obey command from Moscow to stay neutral.

● *Moscow:* Ukraine has expressed grave concern for the safety of its citizens in Moldova, and demanded the right to inspect ammunition dumps and other potentially dangerous installations near the frontier. It said it would consider "measures envisaged by the UN charter" in the event of non-cooperation by the warring parties.



A REFORMING PRESIDENCY

The good news out of Lisbon is that the European Community summit failed to gloss over the profound anxieties about a European superstate articulated by the Danes' rejection of the Maastricht treaty. For the sake of an appearance of harmony the Commission and most of the 12 have been prepared to leave all difficult decisions for the British presidency to sort out after Wednesday. The predictable outcome of their efforts at evasion is that this summit was both indecisive and, even by EC standards, fractious. The communiqué referred to the ratification of Maastricht as though nothing had happened, but reality forced its way into their debates. The real question for the British presidency will be what to do about Maastricht.

The bad news is that the EC has again shown itself incapable of action on the two most urgent questions before the Lisbon summit. On Yugoslavia, its disarray is complete. And in the undisputed area of EC competence, trade policy, the 12 appear willing to risk the collapse of the world trading system rather than another bruising argument with France over farm subsidies. Yet failure to conclude the Uruguay Round would be vastly more significant than the collapse of Maastricht.

Following an acrimonious stand-off at Lisbon, John Major has now the dubious pleasure of brokering a compromise over Jacques Delors's brazen demand to increase the Commission's budget, currently under-spent, by a third over the next five years. But the one clear decision out of the summit is a defeat for his strategy for the British presidency even before it begins. The admission of new members has been made contingent on agreement over the budget and on the entry into force of the Maastricht treaty.

The summit has thus brought the EC to a juddering halt, unless it can resurrect Maastricht. The EC has no legal right to the fact this treaty cannot enter into force unless every EC member state ratifies it. What Lisbon shows is how far the EC's leaders are from fashioning a political response to their

voters' swelling distrust of federalism. Mr Major expressed delight that any changes to EC institutions prior to its enlargement which the Commission had been actively planning before the Danish vote, had been "firmly squelched". But institutional reforms are in fact urgently required. Not in furtherance of M. Delors's federal agenda, but to roll back the Commission's powers to reach international and local decisions.

At Lisbon, as at Maastricht last December, Mr Major homed in on the subsidiary which it is Britain's pride to have inserted in the Maastricht treaty. Having made its ratification a point of British honour, his strategy appears to be to coax the Danes back on board by adding a binding protocol that will restrict the Commission's freedom to exercise the dramatic extension of its powers under the treaty.

The ambiguity of the treaty's subsidiary clause makes that vital. Article 3b says that the Commission will act only if an objective desired by the EC cannot be achieved by member states acting alone. But this applies only to areas where the Commission shares competence with the Council of Ministers. And it is silent about who decides where power should reside, the Commission or governments.

Denmark's foreign minister, Uffe Ellemann-Jensen, needs more than a mere codicil to make Maastricht reviled palatable to his voters. Their problem, as he said at Lisbon, is not just with the treaty but with the EC's general lack of openness and accountability. The codicil must make absolutely clear that it is up to governments to decide what to delegate upwards to the Commission, not the other way round.

But Mr Major must also make good his Lisbon pledge to ensure that the Commission hands back powers it already has, by revoking directives that do not measure up to a tightly drafted version of subsidiarity. Only by what amounts to a radical shift in the balance of power within the EC can he hope to salvage the treaty on which he has firmly, perhaps rashly, staked his word.

HIGH TIME TO STOP IT

As an old political fox, President Mitterrand has lost none of his talent for surprise. His flight to Sarajevo, arriving in the besieged Bosnian capital on the anniversary of the assassination of Archduke Ferdinand 78 years ago, has left his European Community colleagues aghast, wrongfooted his domestic critics, delighted thousands of hungry and despairing Sarajevans cowering in their cellars. His *coup de théâtre* may seem self-serving. But M. Mitterrand has also demonstrated personal courage, responded to the growing western outrage at the indiscriminate shelling of civilians, and pointed up the futility of legalistic arguments about the use of force that look like indecision.

European governments, especially Britain, have argued strongly against intervention and peace-making by force, on the grounds that this would only suck the world into the maelstrom of ethnic hatreds and vendetta politics. Instead they have tried to tighten the diplomatic and economic noose around Serbia, in the naive belief that Slobodan Milosevic will call to heel the Serbian guerrilla gangs now plundering Bosnia.

As long as the primary objective was to restore a semblance of peace and prevent the Balkan conflagration spreading, this course could be defended. But night after night the pictures of civilians shot as they search for food, or blown up by mortars in their homes, have begun to change perceptions. Are the people of Sarajevo, like the Jews of the Warsaw ghetto, to be starved and shelled into submission while armed troops go from house to house in their chilling "ethnic cleansing" operation?

It was the Americans who responded first to the public mood, hinting that they were now contemplating the use of force over Sarajevo. Almost immediately the Europeans changed their tune. The Western European Union last week discussed logis-

tics. The Lisbon summit produced a Delphic utterance about not excluding support for the use of force. Harassed United Nations officials now admit that if the convoy waits for a ceasefire to last a full 48 hours, it will never reach the city. The Serbian irregulars have no intention of letting up. And Croats and Muslims are taking advantage of every lull to fortify their own lines. Boutros Boutros Ghali, the forthright UN secretary general, has now delivered an ultimatum: unless attacks on the airport ended within 48 hours, the Security Council would meet today to consider other measures — in other words, force.

Securing the area around the airfield could take more than 100,000 men, and EC countries will not commit troops unless they can be withdrawn quickly. Europe and America could however provide military air cover for relief flights. They could attack artillery positions or Serbian supply lines and gun emplacements. Force means risk. The UN's new commitment to peace-keeping cannot avoid all risk. M. Mitterrand implicitly challenged the artillery gunners to shoot him down: they would have fewer qualms in attacking a UN relief plane.

The West is proposing intervention not to end the civil war, but to save 300,000 civilians from disease and death. Lord Carrington's thankless task of negotiating a settlement must go on. Serbia must be isolated and contained: the kind of tacit help it is seeking from Greece in beating sanctions must be denied, and the West should be ready for further mischief-making by Mr Milosevic in Kosovo and Macedonia. Not all the armies of Europe can prevent a megalomaniac trying to ignite a Balkan war. But credibility of western values is at stake in Sarajevo. Wringing one's hands is a feeble response. At least M. Mitterrand has done dramatically more than wring his hands.

BUBBLES FOR ALL

Champagne is being sold for less than £8 a bottle in British supermarkets this jolly June. This is not sparkling white wine artificially injected with fizz. It is the true juice, laboriously hand-turned and fermented naturally a second time by the *methode champenoise* in limestone caverns in the old French province of Champagne, as allegedly discovered by accident by the cellar-master monk Dom Perignon four centuries ago.

It is not going for a lot under £8: usually £7.99, on the marketing managers' insolent assumption that shoppers are thick, and look after the pounds, but let the pence look after themselves. But even the down-market stores, with their foundation motto "pile it high, sell it cheap", are offering champagne at prices almost as low as can be obtained by thrifty shoppers in French off-licences.

This democratisation of champagne has been caused partly by long years ago, in spite of prices of the famous brands climbing towards £20 a bottle, sales of champagne were soaring so high that there was even talk of rationing. Since then sales (though not prices of the big-name brands) have plummeted and are still falling. And the supermarkets, which over the past five years have become the biggest wine merchants in the United Kingdom, are trying to drain their champagne lakes by cutting prices.

But the sudden remarkable cheapness of champagne is a social as well as an economic phenomenon. The best things in life should be available to everybody in Mr Major's kingdom, which is aiming to be a classless democracy. National music day yesterday was designed to bring the finest and most

elusive of the arts to a generally tone-deaf nation. "People's Saturday" at Wimbledon brought cut-price tickets and hearty cries of "Come on, Steffi" to the Centre Court, that conformist chapel of suburban gentility.

Champagne was developed as a luxury product, and has always been aimed with vast success at the British market. Bubbly and fizz were until recently upper-class synonyms for the liquid, and numerous aristocrats who wasted their inheritances in riotous living have been known as Champagne Charlies. More than four centuries ago, Thomas Shadwell could pronounce definitively: "The qualifications of a fine gentleman are to eat *à la mode*, drink champagne, dance jigs and play at tennis."

Champagne, tennis and fashionable eating have now become available for everyman and everywoman, though dancing jigs may still be confined to the "okay, yah" class. Bubbly is the one drink of which you never get a bad bottle, and which is alleged, with more poetry than truth, not to give hangovers. The swizzle-stick, designed to remove those expensive bubbles, is a peculiarly illogical English aberration.

Luxuries are positional not absolute goods. From caverns to Dickens, oysters were a cheap form of food for the working man. According to folk legend, London apprentices demanded to have written into their aricles that they should not be fed on the common fish, salmon, more than twice a week. One should eat and drink what one enjoys rather than what is fashionable. But Champagne Charlies and Charleses of all classes can make bubbles while the sun shines by a trip to their local supermarket.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

Health care in London: the challenge and the real prize

From the Chairman of Hammer-smith and Queen Charlotte's Special Health Authority

Sir, The King's Fund Commission is to be congratulated on producing a report (details and leading article, June 24) that highlights the problems of London's health care and suggests, at least in broad and understandably cautious outline, a set of radical solutions.

No one doubts the central thesis: that there are too many acute hospitals in inner London, too much duplication of specialist services, and that as a result some hospitals should close. But enthusiasm for the development of primary and community care appears to have persuaded the commission that almost all the revenue released by hospital closures can be withdrawn from the acute sector. This is not so.

Unless a substantial proportion of this money is reallocated to the hospitals that survive, existing under-utilisation (reflected in wards closed for part of the year and under-used capital equipment) will continue. And Londoners' health care will not improve.

The commission has also not given sufficient thought to the structure of research and teaching. Again, no one doubts its central thesis: that increased concentration, underpinned by strengthened basic science, is desirable. But that is not compatible with divorcing, as the commission suggests, research and teaching institutions from their hospitals, relying instead on a vaguely defined series of contracts with health-care providers.

Research and teaching will continue to be satisfactorily carried out only by institutions for which that is the primary responsibility and in which research, teaching and service responsibilities are fully integrated.

We have a unique opportunity to take difficult decisions about London — a new government, a new secretary of state, a new minister of health, a new permanent secretary. There appears to be the political will to act, even though the King's Fund's suggested swifter of £250 million to develop primary and community care may not be immediately forthcoming.

The real prize is a radical, logical redistribution of London's resources in a way that improves care and

strengthens London's position as Europe's leading centre for medical research and teaching.

Yours sincerely,
CHRISTOPHER BLAND,
Chairman, Hammer-smith and Queen Charlotte's Special Health Authority,
Hammer-smith Hospital,
Du Cane Road, W12,
June 24.

From Mr Michael Harmer

Sir, The map which you published on June 24 identifies 15 London hospitals facing possible closure. Of these one, St Bartholomew's, is the oldest in Britain (with the possible exception of St Bartholomew's, Rochester); it is among the oldest in Europe and indeed in the world.

I find it incredible that the chairman of the King's Fund Commission can write: "the status quo is not an option this time". By what right can any ephemeral politician, financier or bureaucrat decide that the Royal Hospital, founded by Rahere in 1123, is redundant?

Bart's, where I qualified as a surgeon in 1979, may indeed need improvement: this it has achieved several times during the last eight centuries. I do not doubt that it will do the same in the twenty-first.

Yours faithfully,
MICHAEL HARMER,
Fetrowood, Grafton,
Perth, Sussex.

From Mr James Johnston

Sir, Your editorial (June 24) apparently accepts without question the idea that London hospitals should serve the needs of patients living in their immediate vicinity. There is no reason why their resources and skills should not continue to be available to others in areas less well served. In return for some sharing of the cost.

A few years ago the life of a member of my family was saved by the specialist treatment of a London teaching hospital to which referral had been made from a rural hospital unable to diagnose the disease. The treatment was not particularly "glamorous" or "high-tech". It was simply better, owing to the concentration of experience and skills which a large teaching hospital can offer.

Yours faithfully,
JAMES JOHNSTON,
As from: 82 Ingelwood Road, SW8.

Vanunu's future

From Mr Peter Benenson and others

Sir, We are grateful for Bernard Levin's moving plea for the release of Mordechai Vanunu from prison ("A prisoner who shames Israel", June 22). Last year the European Parliament clearly condemned Mordechai's abduction and imprisonment and called on Israel to free him.

We very much hope that such official steps, such dignified and persuasive appeals as Mr Levin's and the work of the campaign to free Vanunu will soon lead to a change in Israel's attitude and to Mordechai's freedom, particularly in the light of yesterday's election result.

What he said in a poem written in prison could be an inspiration to all courageous whistle-blowers:

I have no choice
I am insignificant. A citizen.

I'll do what I must,
According to my conscience.

Yours sincerely,
PETER BENENSON, KEN COATES,
BRUCE KENT, Yael LOTAN,
HAROLD PINTER,
JACOB VAN UEXKULL,
ANDREW WILSKI (Trustees),
The Mordechai Vanunu Trust,
6 Endsleigh Street, WC1,
June 24.

From Mr J. Davis

Sir, Has Bernard Levin considered the possibility that the object of Vanunu's pursuit and imprisonment is to prevent the further disclosure of vital information that he possesses?

As Levin rightly says, nothing is more important to Israel than security: in which case it is justified in taking appropriate measures to that end.

Yours sincerely,
J. DAVIS,
The Cottage, Rock Mount,
Near Peel, Isle of Man,
June 24.

Water abstraction

From Mr Bruce J. Dawson

Sir, Water abstracted from rivers is used to supply the public with what it considers to be a limitless resource. It would be wrong to lay the full blame for high abstraction rates from rivers at the door of the statutory water companies, who have a legal obligation to supply their consumers.

Water is not a limitless resource in the southeast of England. Statistics quoted at a recent Institute of Water and Environmental Management meeting indicate that the rainfall (from which our drinking water originates) per capita in this region is currently comparable to that of the desert-covered Middle East states.

Yours faithfully,
BRUCE J. DAWSON,
Brackenwood Lodge, Prospect Road,
Barnes, Hertfordshire.

Letters to the editor should carry a daytime telephone number. They may be sent to a fax number — 071-782 5046.

Greenpeace and BNFL

From Miss Gillian Pearce

Sir, Lord Melchett (letter, June 23) complains that BNFL should not be allowed to spend "£100,000 of taxpayers' money" defending themselves against Greenpeace's actions. I feel that Greenpeace is at fault.

Although there are places in Cornwall where radiation levels are higher than those published for readings within 300 metres of the Chernobyl reactor, the Cornish do not have a high leukaemia rate according to figures published by the Office of Population Censuses and Surveys.

The result of the actions of pressure groups such as Greenpeace over the years has been to make regulatory levels for radiation stricter and stricter, to the point where they now apply rather embarrassingly to nor-

'Entombed' at Kew

From Mr Keith Kyle

Sir, I would like to endorse the case made by Sir Roy Denman (letter, June 19) for a systematic review of all past decisions to withhold public documents beyond the standard 30 years in the fresh light of the prime minister's enthusiasm for greater openness.

In preparing a recently published book on Suez, I found not only whole files excluded from the appropriate annual release but also particular documents within a file. For example, at the most critical stage of the conflict, two cabinet meetings were held on November 2, 1956. The earlier minutes have been withheld until 2007. Minutes of other meetings, some one might think highly embarrassing to Britain even in retrospect, are freely available.

Why the distinction? One quite possible explanation could be that covert action against Nasser was discussed: that, as I understand it, would trigger the reflexes of the "weeders", who have been told to exclude matters that fall within certain categories.

Yours faithfully,
KEITH KYLE,
25 Oppidians Road, NW3,
June 19.

Lib Dems and media

From Mr Matthew Taylor, MP for Truro (Liberal Democrat)

Sir, I was surprised to read your article of June 22 headed "Lib Dems 'biggest election bullies'". About a report issued by the British executive of the International Press Institute on the attitude of reporters, and broadcasters in particular, to politicians during the general election campaign. Surprised, because you reported the IPI criticisms of the Liberal Democrat campaign without at any stage seeking our response.

To suggest, as the IPI report does, that we could "bully" Channel Four is frankly ludicrous. Channel Four invited Paddy Ashdown to appear as the lead story on the day we launched our manifesto, an offer he accepted and arranged his time accordingly. For their own reasons, within three hours of the programme, they withdrew that invitation and asked him

From Mr Alan Meyer

Sir, Whilst it may well be correct, as David Willets writes ("Hospitals on the critical list", June 22), that people's needs no longer require so many teaching hospitals in central London, they need hospital facilities, especially casualty and outpatient departments, particularly in the frequent absence of other services at weekends and at night.

The problem which has not been faced in moving the Charing Cross and St George's hospitals out of the central area is that greater distances and traffic density create a need for more ambulances.

You cannot move hospitals away without producing a vastly upgraded London ambulance service. That has been overlooked so far and the problem will be greatly exacerbated when the Westminster Hospital closes in 1993.

Yours faithfully,
ALAN MEYER,
Chairman,
The Westminster Hospitals
Development Fund,
10 Carteret Street,
Queen Anne's Gate, SW1.

From Mr Roger Fox

Sir, David Willets omits the one element that any strategy for London hospitals should include.

London is a centre for medical excellence with an international reputation. We should be proud of it and develop policies to sustain its position. I fear that inappropriate changes to the structure of London hospitals and research institutions could destroy the basis of decades of achievement.

It has to be recognised that it is the interplay, or competition, between relatively small units which provides the thrust for advance. Centralisation and amalgamation (beloved of old-style socialists) could undermine the achievements of the present system.

Large hospitals and research centres have diseconomies of scale which could be costly in terms both of research and competition in the internal market.

Yours sincerely,
ROGER FOX,
School of Social Sciences,
Thames Polytechnic,
Wellington Street, Woolwich, SE18.

mal natural stones in the South West which produce radioactive radon gas. By industrial standards much Cornish rock on spoil tips, footpaths, popular bathing beaches and even a council car park would be classified not as "low-level radioactive waste" but as "intermediate level".

Some Cornish rock has now, by internationally agreed legislation, to be transported as radioactive material, with the highest category labels. Radioactivity at Sellafeld is far less, yet Greenpeace press on with their campaign against the nuclear reprocessing plant there.

Yours faithfully,
GILLIAN PEARCE (Secretary,
Devon and Cornwall Prospecting
Society),
44 Lancaster Drive,
Paignton, Devon.

War crimes trials

From Mr Greville Janner, QC, MP for Leicester West (Labour)

Sir, Lord Shawcross (letter, June 22) refers to the "supposed view of the majority in the Commons" in favour of Britain's recent war crimes legislation. "Supposed"?

On December 12, 1989, 348 voted in favour and 123 against — a majority of 225. On March 19, 1990, 273 voted in favour and 60 against — a majority of 213. On April 25, 1990, 135 voted in favour and 10 against — a majority of 125. On March 12, 1991, 177 voted in favour and 17 against — a majority of 160. On March 25, 1991, 211 voted in favour and 57 against — a majority of 154. Some "supposed" view!

There was a majority from every party for action in those cases where the responsible authorities consider there to be sufficient evidence of personal complicity in murder — usually mass murder. The All-Party Parliamentary War Crimes Group and the vast majority of elected MPs profoundly disagree with those, like Lord Shawcross, who believe that these people should not be prosecuted.

Yours faithfully,
GREVILLE JANNER,
House of Commons,
June 25.

to be interviewed on the second part of the programme. He was unable to accept that revised invitation. Channel Four can hardly complain about the result of their change of mind.

No journalist who travelled with Paddy Ashdown during the campaign could possibly deny that he was the most accessible of the three party leaders. It was disheartening that some broadcasters chose to abuse that accessibility by plaguing him, and we therefore attempted to control it — but he remained throughout the most accessible of the three leaders.

All serious points of view should be aired during an election campaign — and Liberal Democrats sought such a fair hearing.

Yours faithfully,
MATTHEW TAYLOR
(Chairman, Campaigns and Communications, Liberal Democrats),
House of Commons,
June 23.

Legal redress on Maxwell pensions

From Mr George Rose

Sir, Maxwell pensioners (and any others in a similar position) who may be seeking restitution from third parties with respect to assets allegedly removed unlawfully, have a new ally — the Court of Appeal.

Your Law Report of June 24 reports the court as upholding the findings of Sir Nicolas Browne-Wilkinson in *SIB v Pantell*. The issue is the effect of section 61(1) of the Financial Services Act, which authorises the Securities and Investments Board to take proceedings against third parties, to compel them to provide restitution against those "knowingly concerned" in the allegedly unlawful transactions.

It is of course open to the third party to defend itself by establishing that it knew nothing of the wrongdoing and was acting at all times with complete propriety. Subtleties will then ensue, such as the question whether "knew" includes "ought to have known". Such refinements can safely be left to the court.

Where moral suasion is enough to compel a third party to make good the loss, all well and good. Where it is not, the courts now clearly provide an avenue which should be explored.

Yours faithfully,
GEORGE ROSE (Publisher),
The Lawyer's Diary,
12a Grove Road, Sutton, Surrey,
June 24.

Top people's pay

From Mr Geoffrey Holroyde

Sir, As my career included senior posts in the private and public sectors, I feel competent to compare the rewards and stresses of the two areas. Your leading article, "Call their bluff" (June 22), reflects exactly my views.

If John Major gives in to the 30 per cent claim (letters, June 25; report, June 27) he will win the votes of the few who stand to gain and those who aspire to succeed them, whilst disenchanting millions by the sweat of whose brows we are struggling to rebuild our economy.

The relatively few overpaid directors of private companies should not be used as a benchmark. They too should be shamed into wanting less.

Yours etc.,
GEOFFREY HOLROYDE,
38 Coten End, Warwick.

From Mr James Cane

Sir, Your editorial accepts that "the civil service recruits those who want the status and satisfaction of public service, job security, ... smooth career progress and a guaranteed inflation-proof pension, and who do not mind a life of bureaucratic caution and relative anonymity."

Are you persuaded that people with these requirements and qualities are those best able to carry out these roles? Would it not be better for Britain if civil servants received pay comparable to their skills, knowledge and experience and did not receive the negative rewards you list — not to mention a going on retirement?

Yours faithfully,
JAMES CANE (Director),
Greenly's Ltd.,
39 Thames Street,
Windsor, Berkshire.

Business letters, page 23

Electricity research

From Sir Alan Cottrell, FRS, FEng

Sir, Professor Ian Fells (letter, June 24) omitted to point out the worst consequences of the decimation of research by the privatised electricity supply industry. The technical underpinning of the industry will be weakened so much that I predict, in a few years' time, during some severe winter, supplies over a large region of the country will collapse, with heavy losses of industrial production.

This will engender a demand that the industry create an adequate technical base. And this in turn will simply recycle us back to the early postwar decision to equip the Central Electricity Generating Board with research departments, the loss of which is so properly criticised by Professor Fells.

Yours faithfully,
ALAN COTTRELL,
40 Maida Causeway, Cambridge.

Brake on enthusiasm

From Mr Norman Laking

Sir, Surely Networkers cannot be the first trains in Britain to be equipped with regenerative braking (report, June 17)? Some 35 years ago I remember my electrical engineering professor at Sheffield University lecturing on the system of regenerative braking used even earlier on the electric trans-Pennine rail link between Manchester and Sheffield.

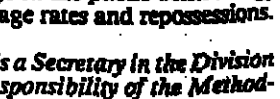
Yours sincerely,
N. R. LAKING,
4 West Street,
Ryde, Isle of Wight.

Measure for measure

From Mr Fred Kibble

Sir, The mathematics teacher of Mr Grosvenor Myers's acquaintance (letter, June 22) who was told that he must order metric rulers by the dozen should have amended his order to 8½ dozen.

Yours faithfully,
FRED KIBBLE,
26 Seeds Lane, Brownhills,
Walsall, West Midlands.



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On her return to Britain she took a half-page advertisement in *The Stage* announcing that she was open to offers of theatrical work, but there were none. One of her last showbusiness assignments was in 1979 when she appeared in two episodes of the television series *My Son*.

She is survived by twins, Richard and Victoria, and an older daughter, Roberta.

Latest will

aged house

Harry Eagle, a medical scientist whose discovery of a method for growing human cells in test tubes opened the way for new research into viruses, genetic defects and cancers, died of cancer at Port Chester, New York, on June 12 aged 86. He was born on July 13, 1905.

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"Eagle's growth medium", as it became known in laboratories throughout the world, was Harry Eagle's most famous achievement, but it was far from being his only one. In an active research career that spanned more than six decades, he made discoveries which had a profound effect on many areas of medicine.

Growing up in Baltimore, Eagle graduated from the medical school of Johns Hopkins University in 1927 and became director of its venereal disease research laboratory and of its laboratory of experimental therapeutics. It was during this period, in the early 1940s, that he devised a diagnostic test for syphilis and then helped to discover the value of penicillin in treating the disease. He also found that penicillin could be used to prevent gonorrhoea when taken soon after exposure to infection.

From 1947 until 1961 Eagle worked at the National Institute of Health, where his major contributions included the discovery that blood clotting is an enzyme process; the development of a treatment for arsenic poisoning; a cure for typhosomiasis (African sleeping sickness); and the description of the metabolic differences between normal and cancerous cells. He also

advanced cancer chemotherapy and worked on a four-member team that developed a freeze-drying technique for long-term storage of perishable life-saving serums. His formulation of the essential compounds needed to sustain the reproduction of human and other mammalian cells in the laboratory came in 1959.

Eagle established a reputation as a likeable man of absolute integrity, but one who was not particularly tolerant of less gifted colleagues. He left government service in 1961 to join the Cancer Research Centre at the Albert Einstein College of Medicine, which was being set up by New York's Shiva University.

The offer was to start a new research laboratory with unlimited equipment of his own choice, at double the salary he was then getting. Eagle accepted and stayed there for the rest of his career, retiring as director in 1988, but remaining active until he became ill last year.

At various times, Eagle was president of the Society of American Microbiologists, the American Association of Immunology, and the Society of Experimental Biology and Medicine. He published widely in scientific journals, and among many honours won the Waterford International Biomedical Award and the Eli Lilly Award in Bacteriology. In 1967, president Ronald Reagan conferred on him the National Medal of Science, America's highest scientific honour.

Harry Eagle is survived by his wife, Hope, to whom he was married for 64 years, and one daughter.

Cambridge Tripos results

Cambridge Tripos results

Cambridge Tripos results

Cambridge Tripos results

Cambridge Tripos results

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Cambridge Tripos results

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OBITUARIES

JOY NICHOLS

Joy Nichols, comedienne and actress, died in New York on June 23 aged 66. She was born on February 17, 1926.

Joy Nichols was one of the nation's favourite show-business personalities of the early post-war years. She was an excellent comedienne with a fine singing voice who achieved almost instant fame co-starring with Jimmy Edwards and Jack Benny in the long-running radio series *Take It From Here*, and her bouncy, sparkling, wholesome sense of fun was irresistible.

Indeed, the very wholesomeness of her personality coupled with good looks enabled the writers Frank Muir and Denis Norden to slip into the script the occasional joke that in those stiff-backed BBC days was considered risqué. Her comic timing was equal to that of her fellow comedians and the sense of camaraderie the trio achieved, even when the script had them arguing, was warming to the millions who tuned in each week.

Her radio fame, which in the late Forties and Fifties was the equivalent of television stardom today, led to her being offered the lead in the London West End production of *The Pyjama Game* in 1955. The show ran for 18 months and her exuberant singing of "Hey There" and "I'm Not At All In Love" were regular show-stoppers.

The Australian-born actress, who first became a radio star there aged seven, was married in 1949, at the height of her radio fame in Britain, to the American singer Wally Peterson. They had three children but were divorced after 28 years.

Soon after her success in *The Pyjama Game* she decided to consolidate her career success in America but it did not work, at least not immediately. American Equity, the actors' union, made her wait for a year before letting her work there but even then the parts did not come quickly. After three years of living frugally and playing small roles, she landed one of the leads in the Broadway production of the musical *Florence*. She was 33 and looked destined for stardom but it never quite happened.

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Search for Aids vaccine boosted by animal 'host'

By Nigel Hawkes, Science Editor

THE search for a vaccine against Aids should be speeded by the discovery that an animal species, the pigtail macaque, can be infected with the virus responsible for the disease, HIV.

The discovery, to be announced in this week's issue of *Science*, will help researchers by providing a good model for the development of the disease in humans. Previously only the chimpanzee and the gibbon have been shown to be susceptible to HIV, and both are endangered species.

The lack of a useful experimental animal has forced many scientists to work on the

related simian immunodeficiency virus (SIV) which infects rhesus macaques. But SIV is not the same as HIV, which has made the work of doubtful relevance to Aids.

The fact that HIV will infect one variety of macaque but not another has come as a surprise. For a long time, nobody even tried the pigtail macaque: "I guess people thought a macaque is a macaque," said William Morton, of the University of Washington, which is jointly responsible for the discovery with Northwestern University in Chicago.

Whether the pigtail macaques will get full-blown Aids is not yet clear, but all eight injected with the virus in the past year are now HIV-positive. The animals may also make possible studies of the spread of Aids, a controversial subject in the light of claims last week from Birmingham that one HIV-positive man has been responsible for infecting at least four women with the virus.

The low rate of transmission of the virus in normal heterosexual intercourse has led some researchers to doubt the claims. According to the World Health Organisation, the chances of catching the virus through unprotected vaginal intercourse range from one in a thousand to one in a hundred. This may help to explain why the long-predicted heterosexual Aids epidemic is slow to develop.

The aftermath of the Birmingham case is becoming a battle between those who say that a heterosexual epidemic is unlikely or impossible, and those who claim that it is already beginning, but is still at a very low level. Most of the official Aids bodies, and the Department of Health, hold the latter view.

An important but unknown element in the rate of spread is the frequency of other sexual practices between heterosexuals, including anal intercourse. No reliable figures exist, though there is evidence of wide variations between different cultures, which may help explain the differing rates of increase in Aids in different countries.

Major takes tough line on Europe

Continued from page 1

Mr Major says the deal would reverse the centralising features of previous treaties, but Lady Thatcher said yesterday it would lead to a further massive transfer of power to Brussels. "Maastricht is a treaty too far," she would vote against the ratification Bill in the Lords, she said. She urged Conservative MPs to "vote for Europe as they were answerable to their constituents. She also disputed the reappointment of Jacques Delors as European Commission president as "wrong" and described subsidiarity, the principle of minimum interference which Mr Major wants strengthened, as "gobbledygook".

Douglas Hurd, the foreign secretary, said the former prime minister had always argued strongly and then signed up to Community deals during her tenure. "I believe her arguments are to some considerable extent out of date," he said on BBC Radio 4's *The World This Weekend* programme.

Senior Tories said her ability to inspire the backbenches in the Lords is limited.

Thatcher pledge, page 12
Loose cannon, page 14
Leading article, page 15



Sing out: Paul Boateng, David Mellor and Tom Pendry, of the "parliamentarian jazz band", launching Music Day on BBC radio



In harmony: Mick Jagger, originator of the idea, with his wife Jerry Hall at Clapham Common yesterday for the mass concert

MPs and foghorns blast their way to musical stardom

By Alan Hamilton

COURAGEOUS is the only word to describe the participation in one of the big events of National Music Day yesterday of a small band of self-confessed human foghorns. Bearing banners declaring "Tone deaf and proud of it," they emerged from the privacy of their steam-filled bathrooms and mingled with the harmonious thousands gathered on Clapham Common in south London.

At the open-air concert and community singing event they positioned themselves close to the giant loudspeaker banks. When the 1,996 musicians present - amateur, professional and plain duff - were enjoined to launch into Lennon and McCartney's *With a Little Help From My Friends*, the efforts of the foghorns were mercifully drowned out.

John Elenor, their leader and a professional pianist, has, through evening class-

es, taught to sing more than 200 people who were brought up believing they could not manage a note. "Anyone can sing if properly taught," Mr Elenor said, as his choir cleared their throats to tackle *Dancing in the Street*.

National Music Day was marked by more than 1,500 events across the country and was supported by a £100,000 grant from the department of David Mellor, secretary of state for national heritage - and community singing.

The event was dreamed up by Mick Jagger, who, now that he is nearly 50, is about to have his lips listed by Mr Mellor's ministry as a national monument.

Mr Mellor, looking nervous, appeared briefly on the stage at Clapham Common, along with an Afro-Caribbean band, a Euro-vision song contest winner and a symphony orchestra, to present prizes to young

musicians, but demurred at giving a solo number. Mr Jagger also declined to perform, being too busy recording the event on a hand-held video camera.

All manner of instruments turned up, from the Central Band of the RAF to Keziah Thomas, 12, who had brought her harp.

The professional musicians on stage, and the amateurs out on the grass, combined to perform *I Heard it through the Grapevine* and other pop classics. Their efforts are to be released as a record.

After the concert at Clapham Common the thousands basking on the grass were invited to take part in a karaoke competition, in which people who cannot sing are made to think they can by a machine which provides backing music.

Even the Tone Deaf Society beat a retreat behind the ice-cream vans.

Bullets end dramatic visit

Continued from page 1

"Mitterrand is either crazy or senile: I can't decide," said an evening stroller outside the faded Bellevue Hotel, which served as M Mitterrand's overnight accommodation.

The French leader, whose popularity rating at home is low, had arrived on his fascinating mission wearing a crisp dark blue suit. He looked tired but determined, and told the few journalists who met him that he was going "straight to bed" after his long flight from Lisbon.

Not so for the only two accompanying government officials, Bernard Kouchner, minister for humanitarian affairs, and his assistant, M Mitterrand did not bring any of his own closest aides.

Was the president aware of the dangers involved, and was he afraid, he was asked. "Fear of what?" he retorted. The other members of the ten-man French delegation were two air force pilots and a five-man security detail who looked as worried about their leader's quixotic mission to Sarajevo as the president looked serene and self-confident.

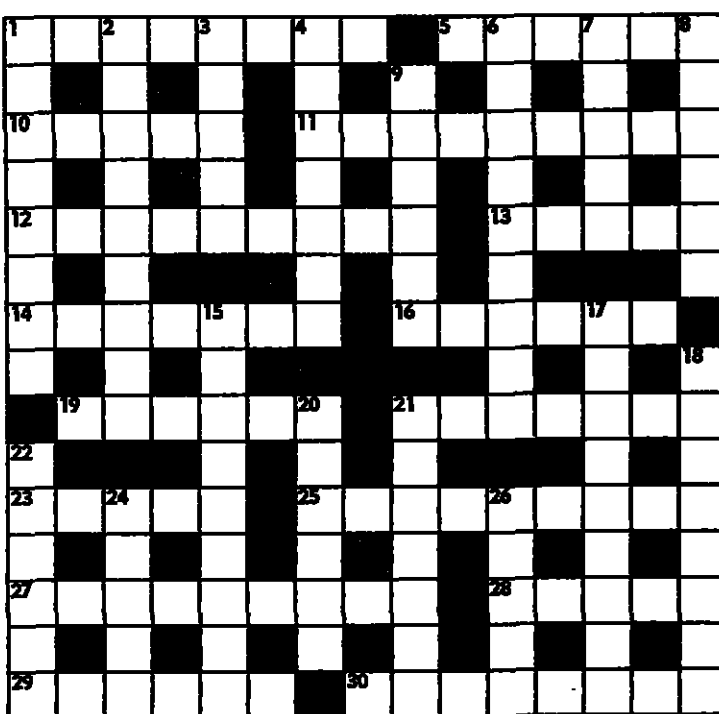
It became immediately apparent that M Mitterrand had made no advance plans, apart from informing local militia in Bosnia that he intended to overfly their airspace and alerting the Bellevue Hotel clerk to hold him a room.

In the end, the president stayed in a modest two-room apartment suite in the hotel, one floor up from a group of 50 Croatian refugees who have sheltered in the hotel for the past six months.

M Kouchner, a co-founder of the French relief organisation, Médecins Sans Frontières, and accustomed to high profile missions to the world's trouble spots, spelled out his president's main purpose in visiting Sarajevo. "He is going to try and land at Sarajevo, visit the town, see the people, and bring some hope of reopening the airport for some humanitarian relief."

Asked if he really believed they had a chance of landing without incident at the airport, which had not had a flight in or out in over a month, M Kouchner replied coolly: "We'll try. He conceded that it was "a considerable personal risk to the President" but added: "It is his personal choice."

THE TIMES CROSSWORD NO 18,957



- ACROSS
- 1 Feel best fitted, though the least competent (8).
 - 5 Lay around sick in lodgings (6).
 - 10 Sound forecaster doing a boring job (5).
 - 11 Drink from poor quality china (9).
 - 12 In favour of people turning hands down (9).
 - 13 Historian aware of environmental responsibility (5).
 - 14 The inexperienced driver is not entirely flexible (7).
 - 16 Cast about and find the drink (6).
 - 19 A commercial outlet is coming (6).
 - 21 Pressing takes only a moment (7).
 - 23 Gather for a service in church (5).
 - 25 Explanation given by odious creature - one on the beer (9).

- DOWN
- 1 Following decline, a European is for raising the standard (8).
 - 2 Wrote in large letters "Occupied" (9).
 - 3 The sailor naturally embraces a woman (5).
 - 4 It's splendid beneath a tree! (7).
 - 6 The gelatine is in a transparent container (9).
 - 7 Turner's left with two articles (5).
 - 8 Setting the pitch to rights (6).
 - 9 A good-looking, a big shot in the underworld, holding on (6).
 - 15 Didn't budget carefully, so even sport might be affected (9).
 - 17 One may well see his work as play (9).
 - 18 This individual's barely prepared to move in a hurry (8).
 - 20 Give up and go to bed (4,2).
 - 21 Sent in agitated note, being very emotional (7).
 - 22 The way to put a chap right about certain points (6).
 - 24 Thirty days may be quietly accepted by crooked liar (5).
 - 26 Striking serving men is not the done thing (5).



The solution of Saturday's Prize Puzzle No 18,956 will appear next Saturday. The 5 winners will receive a Duofold fountain pen supplied by Parker.

Concise crossword, page 9
Life & Times section

WEATHER

By Philip Howard

NAUTICALS

- GINGERBREAD
a. Bestial's nickname
b. Sunday mess ratings
c. Ship's decorations
- GSTA GARBO
a. A secret submarine patrol
b. Radio silence
c. Racing sails
- BILANDER
a. A victorious Dutch admiral
b. A merchant ship
c. A grappling hook cum axe
- POCKOCH
a. The scuttling cock
b. A marine painter
c. Flag signalling "scatter"

Answers on page 16

ROADWATCH

For the latest AA traffic and roadworks information, 24 hours a day, dial 0835 401 followed by the appropriate code.

London & SE	731
A. London (within N & S Circs)	731
M-ways/roads M4-M1	732
M-ways/roads M1-Dartford T	733
M-ways/roads Dartford T-M25	734
M-ways/roads M25-M4	735
M25 London Orbital only	736
National	
West Country	737
Wales	738
Midlands	740
East Anglia	741
North-west England	742
North-east England	743
Scotland	744
Northern Ireland	745

AA Roadwatch is charged at 36p per minute (cheap rate) and 48p per minute at all other times.

LOOKING UP TIMES

London 9.21 pm to 4.47 am
Bristol 9.31 pm to 4.57 am
Edinburgh 10.05 pm to 4.31 am
Manchester 9.42 pm to 4.44 am
Penzance 9.36 pm to 5.16 am

NEW MOON TOMORROW

Sun rises 4.47 am Sun sets 9.21 pm
Moon rises 3.25 am Moon sets 8.36 pm

TEMPERATURES AT MIDDAY YESTERDAY: c, cloud; f, far; i, min; s, sun

	C	F		C	F
Belfast	19	66	Guernsey	24	75
Birmingham	25	77	Inverness	14	57
Blackpool	24	75	Jersey	25	77
Bristol	26	79	London	24	75
Cardiff	14	57	Manchester	24	75
Edinburgh	14	57	Newcastle	19	66
Glasgow	18	64	Riverside	19	66

TOWER BRIDGE

Tower Bridge will be lifted at the following times today: 1.30pm, 4pm, 6pm and 9pm

Today's pollen count forecast is HIGH SELDANE.

A major advance in hayfever treatment.

WEATHER

Mostly dry morning in England and Wales, becoming cloudy. Rain or showers, already over Devon and Cornwall, will spread east and north to most parts, becoming heavy higher ground of Wales and the Midlands. East and southeast England will stay dry until late evening. Generally warm and humid with some very high temperatures in parts of the South-East. Outlook: unsettled with further thundery rain.

AROUND BRITAIN

Midday: i-thunder; d-dizzle; f-fog; s-sun; si-sleet; an-anon; m-mist; o-cloud; n-rain

	Sun	Rain	Min	Max
Aberdeen	1.0	0.1	55	65
Belfast	1.0	0.1	55	65
Birmingham	0.5	0.5	65	75
Bournemouth	0.5	0.5	65	75
Bristol	0.5	0.5	65	75
Buxton	0.5	0.5	65	75
Cardiff	0.5	0.5	65	75
Cardiff Bay	0.5	0.5	65	75
Douglas	0.5	0.5	65	75
Edinburgh	0.5	0.5	65	75
Exeter	0.5	0.5	65	75
Falmouth	0.5	0.5	65	75
Glasgow	0.5	0.5	65	75
Harrogate	0.5	0.5	65	75
Leeds	0.5	0.5	65	75
Liverpool	0.5	0.5	65	75
London	0.5	0.5	65	75
Manchester	0.5	0.5	65	75
Merseyside	0.5	0.5	65	75
Newcastle	0.5	0.5	65	75
Nottingham	0.5	0.5	65	75
Orkney	0.5	0.5	65	75
Plymouth	0.5	0.5	65	75
Reading	0.5	0.5	65	75
Scarborough	0.5	0.5	65	75
Sheffield	0.5	0.5	65	75
Southampton	0.5	0.5	65	75
Stirling	0.5	0.5	65	75
Swansea	0.5	0.5	65	75
Torquay	0.5	0.5	65	75
Wick	0.5	0.5	65	75

For the latest region by region forecast, 24 hours a day, dial 0801 500 followed by the appropriate code.

TOURIST RATES

	Bank	Buy	Sale
Australia \$	2.59	2.59	2.59
Austria Sch	21.50	21.50	21.50
Belgium Fr	65.25	65.25	65.25
Canada \$	1.27	1.27	1.27
Denmark Kr	11.73	11.73	11.73
Finland Mk	8.45	8.45	8.45
France Fr	10.26	10.26	10.26
Germany Dm	3.045	3.045	3.045
Greece Dr	370.00	370.00	370.00
Hong Kong \$	15.20	15.20	15.20
Ireland P	1.14	1.14	1.14
Italy Lira	2310.00	2310.00	2310.00
Japan Yen	136.00	136.00	136.00
Netherlands Gld	3.42	3.42	3.42
Norway Kr	11.37	11.37	11.37
Portugal Esc	200.00	200.00	200.00
Spain Ptas	166.64	166.64	166.64
Sweden Kr	10.36	10.36	10.36
Switzerland Fr	2.74	2.74	2.74
Turkey Lira	1360.00	1360.00	1360.00
USA \$	1.974	1.974	1.974
Yugoslavia Dnr	1.974	1.974	1.974

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques.

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Liverpool	0.5	0.5	65	75
London	0.5	0.5	65	75
Manchester	0.5	0.5	65	75
Merseyside	0.5	0.5	65	75
Newcastle	0.5	0.5	65	75
Nottingham	0.5	0.5	65	75
Orkney	0.5	0.5	65	75
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Scarborough	0.5	0.5	65	75
Sheffield	0.5	0.5	65	75
Southampton	0.5	0.5	65	75
Stirling	0.5	0.5	65	75
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Torquay	0.5	0.5	65	75
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Lenders face levy on debt advice

BY SARA MCCONNELL

LENDERS could be forced by the government to pay a levy to fund debt advice if they do not voluntarily give more generously over the next two years, Sir George Blunden, chairman of the Money Advice Trust, said today.

Publishing the first annual report of the trust, a charity set up in 1990 to help channel private sector funds into money advice projects, Sir George described the initial response as disappointing. Only £250,000 had been donated, by 19 different organisations, directly to the trust in 1991 — far short of its £3 million target. In addition, the trust had identified £750,000 given by private-sector institutions directly to money advice projects such as the Citizens' Advice Bureau.

Sir George singled out the Midland bank, the Abbey National and the electricity companies for a particularly ungenerous response this year and said: "If by the end of our

third year we don't get the growth we are expecting, we will have to approach the government and ask it to look seriously at the idea of a statutory levy [proposed by the National Consumer Council in February]. We are not simply going to go away. The private sector must support money advice."

Most building societies and the Scottish banks have been conspicuously unwilling to commit money to the trust or directly, despite being told by trustees of the charity that the appeal is not charitable but a call to social responsibility.

Building societies came under pressure from the government at the beginning of this year to give more to fund money advice. Since then only a handful have promised funding. The Woolwich and Bradford & Bingley building societies each pledged £50,000 for 1992 and each of the next two years.



Casting his last piece: Sir Robert Scholey, who will retire as chairman next month

British Steel to unveil big loss

SIR Robert Scholey will need all of his legendary Yorkshire toughness today when he unveils heavy losses at British Steel on the eve of his retirement from the board (Ross Tieman writes).

During his six-year tenure as chairman of the former state steel company, "Black Bob" has endured searing attacks over the run down of the group's Scottish operations. The Ravenscraig works in Motherwell cast its last piece of steel last week.

But the group's losses, expected to top £80 million during the year to end-March, cannot be blamed on Ravenscraig alone. British Steel has been squeezed by surplus capacity and weak prices, and analysts forecast deepening losses during the current year.

Yet Sir Robert's achievements should not be overlooked. He bequeaths his successor, Sir Alistair Frame, a company with a robust balance sheet. In addition, British Steel is now Europe's most efficient producer.

Reporting this week, page 23

NFC puts Pickfords Travel up for sale

NFC, the former National Freight Consortium transport group, has put its Pickfords Travel business on the market in the midst of a serious downturn for the holiday industry. James Watson, the chairman of NFC, confirmed that the group is in talks with one organisation about a purchase of the business, which has 334 high street outlets. Reported to be interested is Vic Fatah, formerly behind the Sunmed and Redwing tour operations. Pickfords Travel was badly hit by the Gulf war, and while some recovery has been achieved, it is unlikely the business is yet back in profit.

NFC, owner of the Pickfords home removal business, which is not involved in the deal, does not believe the holiday industry is a core operation. The company has already sold Pickfords Business Travel for £10 million to the French Wagons-Lits group.

Banking study starts

THE governors of 13 central banks of the countries of the former Soviet Union will arrive in London today for a 12-day seminar organised by the Bank of England. The seminar, which will cover all aspects of central banking, will be held at the Centre for Central Banking Studies, the Bank of England's educational institute, which has provided technical assistance and training for the staff of eastern Europe's new central banks. The visitors include Georgi Mayukhin, the chairman of the Russian central bank, whose country is preparing for flotation of the rouble.

Welsh sales drive

IN an effort to increase the sales of Welsh-made components worldwide, the Welsh Development Agency is expanding its supplier development programme, "Source Wales", which brings together international buyers and Welsh suppliers. Some £75 million worth of contracts are currently being negotiated by 64 Welsh components suppliers. Multinational companies such as Sony, Toyota, Bosch and Northern Telecom are using "Source Wales" as a means of recruiting long-term suppliers manufacturing high quality products.

Utility sell-offs backed

SENIOR directors and managers of privatised utilities believe that privatisation has been good for customers and employees, who have kept their jobs, but best for shareholders, according to interviews with 30 senior managers conducted for City and Corporate Counsel, a public relations firm. The managers had found it easier to deal with the City than they expected but most said they had underestimated the impact of regulators on how they ran their business. Comment, page 21

Shore Capital venture

SHORE Capital, a stockbroker 40 per cent owned by British Land, aims to convince the London market that short-term share trading can be safely financed by borrowing. For this purpose, it has set up Shore Capital Finance, which will have a multi-million-pound credit line and, in turn, lend money to its clients.

The minimum loan will be £15,000 and the maximum, for private investors, £350,000. Institutional investors can negotiate more.

Wellcome on track

THE £3 billion Wellcome share sale remains on track, with today's roadshow presentations to British institutions going ahead as planned. A spokesman for Wellcome said there was no truth in weekend reports that the issue might have to be cancelled because of the slide in the Wellcome share price and the volatility affecting international share markets. "The issue will go ahead as planned," he said. Last week Wellcome Trust, the charity, confirmed that it planned to sell around 330 million shares in the drugs company.

US fund wins case against O & Y

FROM PHILIP ROBINSON IN NEW YORK

Seton sets high profit standards

SETON Healthcare has set a scorching pace since flotation in 1990. Placed at 130p, the shares raced to a 313p high this year, reflecting more than just euphoria in the healthcare sector. They closed at 283p on Friday.

Pre-tax profits for the 12 months to end-February, the first full year to include acquisitions since flotation, rose 60 per cent to £4.8 million, with a 15 per cent rise in earnings to 15.2p a share.

Acquisitions have been particularly effective in the main healthcare division, which has proved resilient during the recession. Divisional operating profits rose from £3.3 million to £5 million, with operating margins up more than three percentage points to 16.4 per cent. Further margin enhancement is likely as newly-acquired products benefit from access to Seton's distribution channels.

Sports and leisure saw profits fall to £563,000 (£701,000) on weak consumer demand but also reflecting the termination of a distribution agreement with Saucony running shoes. Sports medicine is considered ripe for development.

Gearing at year-end was 42 per cent, with borrowings of £6.5 million. Dominic Wilson, an analyst at Henry Cooke, Lumsden, expects debt to fall by £1 million in the second half, with interest cover exceeding nine times. He forecasts profits of £6.1 million pre-tax this year and £7.6 million next.

A high multiple of almost 16 times' earnings to end-February 1993 reflects the high regard for this company. In the short term the shares appear fully valued but may prove attractive if there is further weakness in the sector.

MARTIN BARROW

TWO legal actions by one of America's largest pension funds could thwart hopes by Olympia & York Development, the Canary Wharf developer, of keeping its American operations out of the US bankruptcy courts.

The Teachers' Insurance and Annuity Association — whose assets total \$83 billion — has successfully sued O&Y for a 1983 breach of contract on a loan agreement, is claiming \$120 million in damages and has a second breach of loan agreement case pending. The New York Supreme Court has ruled that O&Y breached its agreement with the association over a \$250 million loan to refinance the World Financial Centre in Manhattan. O&Y borrowed the money in 1984 from Manufacturers Hanover Bank on better terms. The association says the O&Y breach cost it \$120 million. Damages have not yet been awarded.

In its second suit, the association claims O&Y reneged on a \$170 million loan agreement relating to the finance of a Boston development. That case, brought in the Federal District Court, has yet to be heard. O&Y said in a statement that the association's claims for damages were grossly exaggerated.

Banking and property experts believe that O&Y will find it impossible to restructure its \$7 billion of US debts without filing for chapter 11 bankruptcy protection in America. O&Y has just raised \$32 million from the sale of its stake in an investment company and says that with the sale, it has enough cash to last it until the autumn.

A restructuring plan for its American lenders details the attempted sale of many of its properties outside New York.

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Utilities suffer credibility gap

The gulf between what managers of privatised utilities report about their performance and the public's perception is astonishing. From telephones to water, the companies report hugely improved standards of service, on statistics set by consumer watchdogs, yet most of the public does not seem to notice and thinks privatisation has achieved little except higher prices. If these industries are to settle down and operate without constant political blight, they will need to work out whether the public is right after all or why their credibility gap is so wide.

Part of the answer undoubtedly lies in the immediate capital gains to shareholders and the sharply rising profits or dividends generally seen in the first years after privatisation. An illuminating study by City and Corporate Counsel interviewed 30 senior managers and polled 1,000 consumers to test the ground. Since this is a public relations company, it is naturally interested in the perceived need for better communications, but the findings are no less revealing for that. Not surprisingly, the managers thought privatisation had produced a pretty good deal for consumers and those employees who had kept their jobs. Less predictably, even they thought shareholders had fared much the best.

Consumers were not as damning in their criticisms as Opposition and media critics might suppose, but only half found anything positive to say about the results of privatisation, a third of these seeing better service. Nearly two thirds focused on negative effects, with 28 per cent citing price increases. There is still a strong populist view that higher profits must be at the expense of customers, whereas enormous cost savings have been achieved. BT alone is in the middle of a programme that could cut eventually cut up to £1 billion of costs a year.

The public is not being entirely illogical. Half the point of water privatisation was to make customers pay through higher prices for essential capital spending that had been put off in the public sector. Electricity prices were adjusted for privatisation, to raise rates of return and encourage competition. In 1990-1, price limits geared to the retail price index, which was swelled above industrial costs by mortgage interest, brought windfall profits. As one chief executive admitted, some of the first companies to face the switch to the private sector reacted initially by becoming money-grubbing, only later realising they had to satisfy consumers whose expectations had suddenly and rightly been raised. Companies such as British Gas, that were successful in the public sector, were slow to make the cultural change away from being supply-led to focusing on customers.

Such early mistakes linger in people's minds, as did the political unpopularity of the water sale. This is not the full explanation. For instance, while BT correctly scored best with the public on improved service, it was also seen as the worst offender on price, which is the reverse of reality. Real prices have fallen. Water companies are slated for shortages when there are far fewer hosepipe bans.

Part of the answer lies in the managers' own misconceptions. During privatisation, they were much exercised by the need to satisfy City investors. This turned out to be easier than they expected. Meanwhile, many badly underestimated the impact of regulators interfering with their detailed decision-making and found, to their surprise, that they had not escaped the attentions of whole departments of civil servants who continued to shadow them, for ever seeking to tinker with structures fixed at privatisation.

The public wants regulation and therefore sees regulators as protecting them from the companies. The managers see regulators as making their own rules. As one utility's chief noted, customers are now "owned" by the regulators and the companies have to win them back. Another claims that as genuine competition increases, its regulator is becoming more intrusive rather than standing back. The managers have been through an education process. Politicians need to do the same if utilities are not to become as stifled as they were in the state's maw.

EC should look west for direction on single market's next course

The North American experience proves that subsidiarity and federalism are two sides of the same coin, writes Anatole Kaletsky

REFUSAL to learn from the rest of the world is one of the clearest signs of decadence in any nation. Such self-obsession was all too evident in President Reagan's America in the early 1980s, as well as Britain in the 1970s, when many Labour leaders opposed EC membership because it would stop them creating a socialist paradise here. Today, this kind of solipsism is running rampant in Europe. The clearest evidence lies in the great debate over federalism versus subsidiarity that led to yet another embarrassing deadlock between John Major and Jacques Delors at the Lisbon summit.

Last week, instead of going to Lisbon, I spent some time in New York, Colorado and Quebec, where I gave a speech about the future of Europe to the Investment Dealers Association of Canada. The trip recalled to mind a question that had been puzzling me since I returned to Britain from America two years ago. In all the sound and fury about preserving national sovereignty against the encroaching power of Brussels, why does nobody look at the US and Canada, which have been striking a balance between federalism and subsidiarity for 200 years?

A glance across the Atlantic would quickly show that subsidiarity and federalism are two sides of the same coin. Both are enshrined quite clearly in the United States Constitution, as the Supreme Court emphasised again last week. Not only did its much-publicised judgment on smoking involve the tension between state product liability laws and federal health warnings, but also, much more clearly, the court struck down a federal environmental statute that tried to impose responsibilities on state governments for clearing up nuclear waste. This judgment underlined a point familiar to anyone who knows America: even after two centuries of federalism, the 50 American states and the ten provinces of Canada sometimes enjoy far greater internal autonomy than 12 member countries in the EC.

The North American practice of keeping power as close as possible to the people is as widespread in economics as in education and law. In fiscal policy, for example, the Canadian provinces are totally independent of the federal government, running budget deficits that are limited only by the provision of their politicians and the willingness of investors to accept credit risks. In the US, most states have constitutions requiring balanced budgets, but the definition of balance generally excludes capital spending. Thus state and local borrowing for capital projects has grown steadily, roughly in line with gross domestic product, unrestricted by an all-powerful central treasury, as in Britain, nor by a treaty obligation, as under Maastricht. As in Canada, the scale of local borrowing is ultimately determined by local electors and credit markets. Voters are often consulted on bond issues by referendum, and they are close enough to their local governments to recognise that borrowing today can lead to high taxes — and lower property values — tomorrow.

America shows that the degree of fiscal convergence demanded by the Maastricht Treaty is unnecessary for a successful currency union. It also shows that the 60 per cent ratio of public debt to GDP proposed at Maastricht has rarely been achieved (see chart). But American experience also suggests that a sensible macro-economic policy after EMU will require a big layer of pan-European taxes and government expenditures, to create the automatic fiscal stabilisers that dampen the swings and roundabouts in a modern mixed economy. Unfortunately, as shown in a recent paper by Professor Charles Goodhart of the LSE, the Maastricht fiscal rules, which encourage national governments all to deflate or inflate at the same time, are virtually the opposite of those required to stabilise a monetary union.

In attitudes to microeconomic harmonisation, the contrast between American and European federalism is starker still. Since Brussels is

committing its worst offences against national sovereignty not in the name of the Maastricht Treaty, but under the 1992 Single Market Programme, free-market opponents of Maastricht should take note. The campaign to keep as much power as possible at the national level could mean, first and foremost, a major unravelling of the 1992 programme. This would allow the French, Italian and Spanish governments to rig their domestic markets in favour of local businesses, a practice that is denounced and ridiculed by free-marketers in Britain but taken for granted in Canada and the US.

At the IDA conference in Canada, for example, Quebec's finance minister, in a speech lifting delightedly, as is the local custom, from English into French and back again, stated quite casually that his government would favour bond underwriters with a strong business presence in his own province. He added proudly that Quebec's tax system was specially designed to attract foreign investment and that its electricity tariffs were deliberately structured to give industries a competitive edge. In Canada, it seems not to occur to anyone that blatant interventionism like this ought to be outlawed by the federal government in Ottawa. Americans would similarly laugh out of court the idea that creating a European single market requires

uniform taxes, social and safety standards and financial regulations. Take harmonising VAT, an obsession in Brussels, where it is claimed that large differences in indirect taxes distort competition by encouraging shoppers to hop across borders and save tax. In America, not only do sales taxes vary from zero to about 10 per cent, depending on states and cities, but tax-avoidance by consumers is positively encouraged by the law. Anything bought by mail-order across state lines is totally exempt from sales tax. Thus someone who lives in New York and wants a \$3,000 computer can save \$250 simply by phoning a mail-order supplier two miles away in Jersey City. Such "unfair" competition has not wiped out retailers in New York, although it has put some pressure on local legislators to stop raising sales taxes. Why then should Brussels impose a minimum VAT rate throughout Europe, or try to make Britain abolish zero-rating?

In laws on banking and insurance, health and safety, employment, takeovers and environmental protection, examples abound where the detailed harmonisation attempted by Brussels goes beyond anything dreamed of in America. In New Jersey, for example, self-service petrol stations are banned to preserve low-wage employment. Trade union and employment protection laws vary dramatically be-

tween the north and south. Texas protects its melon-growers for many years with health-related restrictions on imports from other states.

Of course, we Europeans can justly ridicule the inefficiency of the American banking system. We may want better employment rights and safety standards than in the American sunbelt. We may object to the self-serving state takeover protections designed to entrench corporate directors. The point is, however, that such issues can be judged on their own merits and left largely to national parliaments. They are not fatal impediments to a European market.

American experience suggests that only three conditions are really necessary for a single market to work: free movement of labour, of capital and of goods. It also shows that a single market does not require a library of detailed bureaucratic directives that try to anticipate every competitive eventuality. The US makes do with a general principle, the interstate commerce clause of the Constitution: the federal Congress will "regulate commerce with foreign nations and among the several States, and with the Indian Tribes".

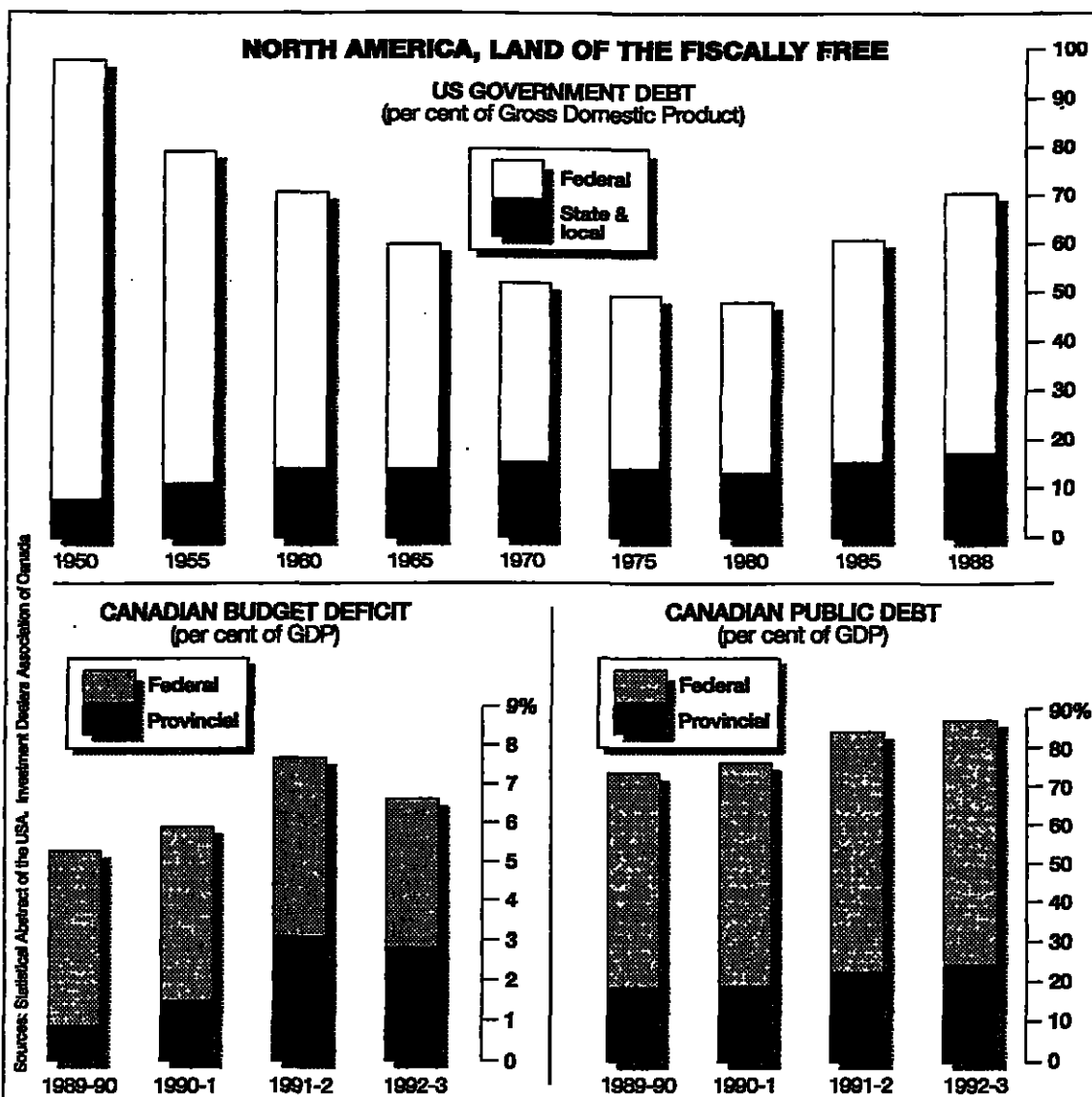
This broad statement of principle, combined with the authority of the Supreme Court to interpret and enforce the Constitution, has enabled American businesses to create a highly competitive single market, without detailed blueprints from bureaucrats.

Admittedly, the American market is only a single market for goods. Many impediments still exist against the supply of services across state lines, ranging from banking and insurance to medicine and law. But as the service sector grows to dominate the American economy, so competition, backed up by the interstate commerce clause, is leading, slowly but steadily, to the unification of the market for services. The process is not complete, but it is moving irresistibly in the right direction.

As Europe engages in its post-Maastricht soul-searching, a glance at America raises two questions. First, should Europe in one bound try to reach a purer free market than the Americans have created in 200 years? Second, should the remaining steps towards the single market be based on detailed executive directives or the interpretation of very broad principles by the courts?

The Americans have successfully struck a balance between economic federalism and subsidiarity on the basis of two general propositions: the interstate commerce clause and the tenth amendment to the Constitution. This simply states that "powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people". Since the powers delegated to the federal government are all laid out in Section 8 of the Constitution, a section just 434 words long (about a quarter of this article), there was plenty left for the states to do.

If Messrs Major and Delors want a working definition of subsidiarity that has withstood the test of time, preserved state autonomy, and created the greatest and most competitive single market the world has ever known, they know where to look.



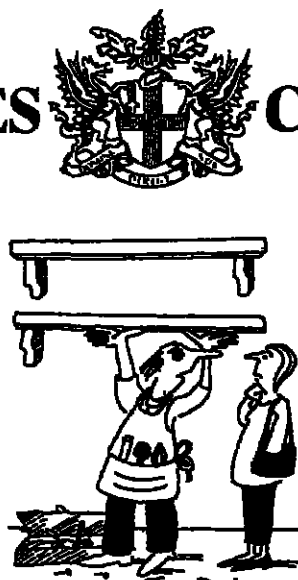
THE TIMES CITY DIARY

Other side of the screen

A FLEETING appearance as "someone outside a court" by Gerry Westoby, a former money-market trader, in ITV's *The Bill* should cause several City viewers to do a double-take when the episode is broadcast in the next few months. Westoby, 49, a well-known face around the City, was with Alexander's Discount House for 27 years before being made redundant in December. He admits to having "always been a bit of a frustrated actor" and has been earning a crust as a film extra. A foray into advertising, Westoby says, could soon spread his fame yet further when he appears in newspaper advertisements for a high street bank. Westoby's passion for acting began at Mill Hill school in North London where he was a contemporary of Simon Jenkins, editor of *The Times*. Westoby's forthcoming appearances include a part in *Only Two Lumps of Ice* and a television play starring Alan Bates. More philanthropically he will be running in the New York marathon in November in his role as part-time fund-raiser for Whizz-Kidz, the charity that buys electronic wheelchairs for disabled children.

All at sea

CLIVE Forester-Walker, aerospace and defence industry



"Nobody told me the DTI shop changed its mind about Sunday opening."

analyst at Charterhouse Tilney, the stockbroker, is getting something of a reputation for his naively based presentations that leave share prices bobbing up and down in their wake. Two weeks ago, he gave a bullish presentation to clients on Vosper Thornycroft, the shipbuilder, aboard one of the company's ships in the Solent. Despite a rough ride for passengers, the shares shot up 40p. Forester-Walker has now been at it again, this time treating more than 50 institutional clients to a day out on HMS President on the Thames, where he gave his more bearish views on British Aerospace. Its shares promptly fell 20p to an all-time low of 247p. "No clients were seasick but, unfortunately, the same cannot be said for BAE shares," says Forester-Walker. A keen amateur yachtsman.

he is now planning another Thames boat trip in September. "It's a Charterhouse Tilney event for company and institutional friends and I won't be giving any presentations," he said.

Heads or tails

A NEW 10p coin, due to be introduced on September 30, looks set to bring out the sentimentalist in force. The current 10p coin — the florin as it was once called — is the last of the pre-decimalisation silver and is being replaced with a scaled-down version about the same size as the old 5p coin, phased out two years ago. The job of promoting public awareness and pleasing critics and pressure groups goes to Lesley Brend, a director of Shandwick Communications, the PR firm, who is advising the Treasury and the Royal Mint. Having done the same job in 1990, when the "buddler" 5p was introduced, she is realistic about what to expect. "Whenever a new coin is introduced, people say they don't like it, but six months later they've forgotten they didn't like it and their opinion changes," she says.

SOUND forecasting advice, attributed to a former chief economist of Aubrey G. Lantson, the American investment house: "Give 'em rates, and give 'em dates, but never give 'em both at once."

CAROL LEONARD

Insurance Companies Act could easily be extended to incorporate private-sector pension funds

From Mr R Instone
Sir, Dryden Gilling-Smith (article, June 24) wants a "single supervisory body with simple primary legislation and a lot of discretionary power".

I agree, and the simplest route would be to bring private-sector pension funds within the scope of the Insurance Companies Act 1982. Companies engaged in the grant of pension contracts or pension fund management are already subject to the Act, which could be extended to pension funds without affect-

ing their legal constitution as trusts. This would have the following consequences:

1. The funds assets could only be devoted to activities related to the purposes of the fund itself.
2. The trustees would have to prepare detailed accounts and returns for submission to the Department of Trade and Industry, and fund members would be entitled to copies.
3. Transactions with "connected persons" would be restricted.
4. The DTI would have exten-

sive powers of intervention. The Insurance Division of the DTI already has the necessary experience and staff, though the latter would no doubt have to be increased. Most of the changes required to the Act would be technical in character.

It would be better to build on an existing structure than to create a new one. Yours faithfully, MR R. INSTONE, 7 New Square, Lincoln's Inn, WC2.

From Professor A. West
Sir, I like other trainers of students and practitioners in management and strategy, have been fascinated by the Lloyd's of London developments which have been well reported in your columns.

As a business school exercise, the problems are all too familiar.

Poor strategy, limited controls, and an ever rising cost base have led the organisation to its current position.

Unfortunately, none of the proposals put forward appear to address these three fundamental issues, with the result that the organisation will inevitably face further problems in the (unlikely) event of the current crisis being overcome.

Yours faithfully, ALAN WEST, Webster University, 6 Grosvenor Gardens, SW1.

Pensions board lacks watchdog powers

From Sir Jeremy Rowe
Sir, I agree with Dryden Gilling-Smith in much of his article "Wanted: a pension watchdog" (*The Times*, June 24). Where I believe he is mistaken is in his view that the Occupational Pensions Board (OPB) could not be the right body to supervise pension schemes.

The OPB's function at present is to administer the contracting-out requirements for occupational pensions — a much more limited role than that of a pensions watchdog. It has neither the statutory powers nor the resources to do more. Yet the Board includes just those sort of experienced practitioners to whom the correspondent refers. If they had the proper tools they could do an effective job.

Yours faithfully, SIR JEREMY ROWE, Chairman, Occupational Pensions Board, PO BOX 2EE, Newcastle upon Tyne. From D.A. Langford
Sir, Recent correspondence and editorial comment on the better regulation of occupa-

tional pension schemes included the need for the appointment of independent trustees to pension fund trusts.

We strongly support such proposals, but would like to suggest that, for contributory occupational schemes, one or more of the independent trustees should be drawn from actual scheme pensioners.

Moreover, the appointment should be from nominees of the pensioners and not simply those of the company management.

Past employees of a company have the widest knowledge of the character of the company and are best able to foresee potential problems which might arise with a fund. Additionally, they are not under the same implicit pressures to which employee trustees may be subjected.

Yours faithfully, D.A. LANGFORD, Chairman, ECC (SMT) Pensioners Association, 8 Landrev Road, Boscopa, St Austell, Cornwall.

Clearing the air

From Mr G. Peck
Sir, The Council and employees of Lloyd's of London work in comfort and style in their new building, whilst the rest of the world has to endure the exorcism of its lifts, drains and air conditioning ducts. Now we know the message in Richard Rogers' design. Yours faithfully, G. PECK, Peck's Farm, Pound Green, Ramsdell, Basingstoke, Hampshire.

From Mrs T. Singer
Sir, After many years the Stock Exchange finally had to put its house in order and flush out the insider dealers. Now it is time Lloyd's did the same. Yours faithfully, T. SINGER, 2 Woodlake Cottages, Bloxworth, Morden, Nr Wareham, Dorset.

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No.	Company	Group	Share Price	Dividend
1	British Airways	Transport	1.00	0.00
2	British Telecom	Telecom	1.00	0.00
3	British Petroleum	Oil & Gas	1.00	0.00
4	British Steel	Steel	1.00	0.00
5	British Sugar	Food & Drink	1.00	0.00
6	British Water	Water	1.00	0.00
7	British Airways	Transport	1.00	0.00
8	British Telecom	Telecom	1.00	0.00
9	British Petroleum	Oil & Gas	1.00	0.00
10	British Steel	Steel	1.00	0.00
11	British Sugar	Food & Drink	1.00	0.00
12	British Water	Water	1.00	0.00
13	British Airways	Transport	1.00	0.00
14	British Telecom	Telecom	1.00	0.00
15	British Petroleum	Oil & Gas	1.00	0.00
16	British Steel	Steel	1.00	0.00
17	British Sugar	Food & Drink	1.00	0.00
18	British Water	Water	1.00	0.00
19	British Airways	Transport	1.00	0.00
20	British Telecom	Telecom	1.00	0.00
21	British Petroleum	Oil & Gas	1.00	0.00
22	British Steel	Steel	1.00	0.00
23	British Sugar	Food & Drink	1.00	0.00
24	British Water	Water	1.00	0.00
25	British Airways	Transport	1.00	0.00
26	British Telecom	Telecom	1.00	0.00
27	British Petroleum	Oil & Gas	1.00	0.00
28	British Steel	Steel	1.00	0.00
29	British Sugar	Food & Drink	1.00	0.00
30	British Water	Water	1.00	0.00

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Please take into account any minor signs

Weekly Dividend

Please make a note of your daily totals for the weekly dividend of £4,000 in Saturday's newspaper.

MON TUE WED THU FRI SAT SUN

Two winners equally share the weekly Portfolio Platinum prize, which this week stands at £8,000. They are Miss Frances Hudson, of Alsgar, Cheshire, and Mr Eric Webb, of Chelmsford, Essex.

BANKS, DISCOUNT, HP

No.	Company	Share Price	Dividend
1	Barclays Bank	1.00	0.00
2	Bank of Scotland	1.00	0.00
3	Bank of Ireland	1.00	0.00
4	Bank of London	1.00	0.00
5	Bank of Montreal	1.00	0.00
6	Bank of New York	1.00	0.00
7	Bank of Paris	1.00	0.00
8	Bank of Rome	1.00	0.00
9	Bank of Spain	1.00	0.00
10	Bank of Sweden	1.00	0.00
11	Bank of Switzerland	1.00	0.00
12	Bank of the Netherlands	1.00	0.00
13	Bank of the United Kingdom	1.00	0.00
14	Bank of the West	1.00	0.00
15	Bank of the East	1.00	0.00
16	Bank of the South	1.00	0.00
17	Bank of the North	1.00	0.00
18	Bank of the Midlands	1.00	0.00
19	Bank of the East of England	1.00	0.00
20	Bank of the West of England	1.00	0.00
21	Bank of the South of England	1.00	0.00
22	Bank of the North of England	1.00	0.00
23	Bank of the Midlands of England	1.00	0.00
24	Bank of the East of England of England	1.00	0.00
25	Bank of the West of England of England	1.00	0.00
26	Bank of the South of England of England	1.00	0.00
27	Bank of the North of England of England	1.00	0.00
28	Bank of the Midlands of England of England	1.00	0.00
29	Bank of the East of England of England of England	1.00	0.00
30	Bank of the West of England of England of England	1.00	0.00

BREWERIES

No.	Company	Share Price	Dividend
1	Adnams	1.00	0.00
2	Beck's	1.00	0.00
3	Carlsberg	1.00	0.00
4	Chouffe	1.00	0.00
5	Guinness	1.00	0.00
6	Harbin	1.00	0.00
7	Heineken	1.00	0.00
8	Hoegaarden	1.00	0.00
9	Leffe	1.00	0.00
10	Orval	1.00	0.00
11	Pilsener	1.00	0.00
12	Stout	1.00	0.00
13	Tennent	1.00	0.00
14	Timmermans	1.00	0.00
15	Trappist	1.00	0.00
16	Wit	1.00	0.00
17	Witbier	1.00	0.00
18	Witbier	1.00	0.00
19	Witbier	1.00	0.00
20	Witbier	1.00	0.00

BUILDING, ROADS

No.	Company	Share Price	Dividend
1	Amey	1.00	0.00
2	Bechtel	1.00	0.00
3	Bechtel	1.00	0.00
4	Bechtel	1.00	0.00
5	Bechtel	1.00	0.00
6	Bechtel	1.00	0.00
7	Bechtel	1.00	0.00
8	Bechtel	1.00	0.00
9	Bechtel	1.00	0.00
10	Bechtel	1.00	0.00
11	Bechtel	1.00	0.00
12	Bechtel	1.00	0.00
13	Bechtel	1.00	0.00
14	Bechtel	1.00	0.00
15	Bechtel	1.00	0.00
16	Bechtel	1.00	0.00
17	Bechtel	1.00	0.00
18	Bechtel	1.00	0.00
19	Bechtel	1.00	0.00
20	Bechtel	1.00	0.00

Capitalisation, week's change

ACCOUNT DAYS: Dealings begin today. Dealings end July 10. Settlement day July 13. Settlement day July 20. Forward prices are permitted on two previous business days. Prices recorded are at market close. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price-earnings ratios are based on middle prices.

Mkt cap (million)	Company	Price	Wkly %	Net %	P/E
100.00	British Airways	1.00	0.00	0.00	1.00
100.00	British Telecom	1.00	0.00	0.00	1.00
100.00	British Petroleum	1.00	0.00	0.00	1.00
100.00	British Steel	1.00	0.00	0.00	1.00
100.00	British Sugar	1.00	0.00	0.00	1.00

ELECTRICITY

Mkt cap (million)	Company	Price	Wkly %	Net %	P/E
100.00	British Electricity	1.00	0.00	0.00	1.00
100.00	British Electricity	1.00	0.00	0.00	1.00
100.00	British Electricity	1.00	0.00	0.00	1.00
100.00	British Electricity	1.00	0.00	0.00	1.00
100.00	British Electricity	1.00	0.00	0.00	1.00

FINANCE, LAND

Mkt cap (million)	Company	Price	Wkly %	Net %	P/E
100.00	British Finance	1.00	0.00	0.00	1.00
100.00	British Finance	1.00	0.00	0.00	1.00
100.00	British Finance	1.00	0.00	0.00	1.00
100.00	British Finance	1.00	0.00	0.00	1.00
100.00	British Finance	1.00	0.00	0.00	1.00

FINANCIAL TRUSTS

Mkt cap (million)	Company	Price	Wkly %	Net %	P/E
100.00	British Financial Trusts	1.00	0.00	0.00	1.00
100.00	British Financial Trusts	1.00	0.00	0.00	1.00
100.00	British Financial Trusts	1.00	0.00	0.00	1.00
100.00	British Financial Trusts	1.00	0.00	0.00	1.00
100.00	British Financial Trusts	1.00	0.00	0.00	1.00

FOODS

Mkt cap (million)	Company	Price	Wkly %	Net %	P/E
100.00	British Foods	1.00	0.00	0.00	1.00
100.00	British Foods	1.00	0.00	0.00	1.00
100.00	British Foods	1.00	0.00	0.00	1.00
100.00	British Foods	1.00	0.00	0.00	1.00
100.00	British Foods	1.00	0.00	0.00	1.00

HOTELS, CATERERS

Mkt cap (million)	Company	Price	Wkly %	Net %	P/E
100.00	British Hotels	1.00	0.00	0.00	1.00
100.00	British Hotels	1.00	0.00	0.00	1.00
100.00	British Hotels	1.00	0.00	0.00	1.00
100.00	British Hotels	1.00	0.00	0.00	1.00
100.00	British Hotels	1.00	0.00	0.00	1.00

INDUSTRIALS

Mkt cap (million)	Company	Price	Wkly %	Net %	P/E
100.00	British Industrials	1.00	0.00	0.00	1.00
100.00	British Industrials	1.00	0.00	0.00	1.00
100.00	British Industrials	1.00	0.00	0.00	1.00
100.00	British Industrials	1.00	0.00	0.00	1.00
100.00	British Industrials	1.00	0.00	0.00	1.00

INVESTMENT TRUSTS

Mkt cap (million)	Company	Price	Wkly %	Net %	P/E
100.00	British Investment Trusts	1.00	0.00	0.00	1.00
100.00	British Investment Trusts	1.00	0.00	0.00	1.00
100.00	British Investment Trusts	1.00	0.00	0.00	1.00
100.00	British Investment Trusts	1.00	0.00	0.00	1.00
100.00	British Investment Trusts	1.00	0.00	0.00	1.00

OILS, GAS

Mkt cap (million)	Company	Price	Wkly %	Net %	P/E
100.00	British Oils & Gas	1.00	0.00	0.00	1.00
100.00	British Oils & Gas	1.00	0.00	0.00	1.00
100.00	British Oils & Gas	1.00	0.00	0.00	1.00
100.00	British Oils & Gas	1.00	0.00	0.00	1.00
100.00	British Oils & Gas	1.00	0.00	0.00	1.00

PAPER, PRINT, ADVTG

Mkt cap (million)	Company	Price	Wkly %	Net %	P/E
100.00	British Paper & Print	1.00	0.00	0.00	1.00
100.00	British Paper & Print	1.00	0.00	0.00	1.00
100.00	British Paper & Print	1.00	0.00	0.00	1.00
100.00	British Paper & Print	1.00	0.00	0.00	1.00
100.00	British Paper & Print	1.00	0.00	0.00	1.00

Portfolio
PLATINUM

From your Portfolio Platinum card check your eight share prices movements on this page only. Add them up to give you your overall total and check this against the daily dividend figure. If it matches you have won outright or a share of the prize money. If you win, follow the claim procedure on the back of your card. Always have your card available when claiming. Game rules appear on the back of your card.

No.	Company	Group	Share Price	Dividend
1	British Airways	Transport	1.00	0.00
2	British Telecom	Telecom	1.00	0.00
3	British Petroleum	Oil & Gas	1.00	0.00
4	British Steel	Steel	1.00	0.00
5	British Sugar	Food & Drink	1.00	0.00
6	British Water	Water	1.00	0.00
7	British Airways	Transport	1.00	0.00
8	British Telecom	Telecom	1.00	0.00
9	British Petroleum	Oil & Gas	1.00	0.00
10	British Steel	Steel	1.00	0.00
11	British Sugar	Food & Drink	1.00	0.00
12	British Water	Water	1.00	0.00
13	British Airways	Transport	1.00	0.00
14	British Telecom	Telecom	1.00	0.00
15	British Petroleum	Oil & Gas	1.00	0.00
16	British Steel	Steel	1.00	0.00
17	British Sugar	Food & Drink	1.00	0.00
18	British Water	Water	1.00	0.00
19	British Airways	Transport	1.00	0.00
20	British Telecom	Telecom	1.00	0.00
21	British Petroleum	Oil & Gas	1.00	0.00
22	British Steel	Steel	1.00	0.00
23	British Sugar	Food & Drink	1.00	0.00
24	British Water	Water	1.00	0.00
25	British Airways	Transport	1.00	0.00
26	British Telecom	Telecom	1.00	0.00
27	British Petroleum	Oil & Gas	1.00	0.00
28	British Steel	Steel	1.00	0.00
29	British Sugar	Food & Drink	1.00	0.00
30	British Water	Water	1.00	0.00

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Please take into account any minor signs

Weekly Dividend

Please make a note of your daily totals for the weekly dividend of £4,000 in Saturday's newspaper.

MON TUE WED THU FRI SAT SUN

Two winners equally share the weekly Portfolio Platinum prize, which this week stands at £8,000. They are Miss Frances Hudson, of Alsgar, Cheshire, and Mr Eric Webb, of Chelmsford, Essex.

BANKS, DISCOUNT, HP

15.80 Rand Mtn	129	-5		
15.90 Rand Mtn	129	-5	165	64
16.00 Rand Mtn	129	-5		76
17.00 Rand Mtn	129	-5		
18.00 Rand Mtn	129	-5		
19.00 Rand Mtn	129	-5		
20.00 Rand Mtn	129	-5		
21.00 Rand Mtn	129	-5		
22.00 Rand Mtn	129	-5		
23.00 Rand Mtn	129	-5		
24.00 Rand Mtn	129	-5		
25.00 Rand Mtn	129	-5		
26.00 Rand Mtn	129	-5		
27.00 Rand Mtn	129	-5		
28.00 Rand Mtn	129	-5		
29.00 Rand Mtn	129	-5		
30.00 Rand Mtn	129	-5		
31.00 Rand Mtn	129	-5		
32.00 Rand Mtn	129	-5		
33.00 Rand Mtn	129	-5		
34.00 Rand Mtn	129	-5		
35.00 Rand Mtn	129	-5		
36.00 Rand Mtn	129	-5		
37.00 Rand Mtn	129	-5		
38.00 Rand Mtn	129	-5		
39.00 Rand Mtn	129	-5		
40.00 Rand Mtn	129	-5		
41.00 Rand Mtn	129	-5		
42.00 Rand Mtn	129	-5		
43.00 Rand Mtn	129	-5		
44.00 Rand Mtn	129	-5		
45.00 Rand Mtn	129	-5		
46.00 Rand Mtn	129	-5		
47.00 Rand Mtn	129	-5		
48.00 Rand Mtn	129	-5		
49.00 Rand Mtn	129	-5		
50.00 Rand Mtn	129	-5		
51.00 Rand Mtn	129	-5		
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54.00 Rand Mtn	129	-5		
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57.00 Rand Mtn	129	-5		
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65.00 Rand Mtn	129	-5		
66.00 Rand Mtn	129	-5		
67.00 Rand Mtn	129	-5		
68.00 Rand Mtn	129	-5		
69.00 Rand Mtn	129	-5		
70.00 Rand Mtn	129	-5		
71.00 Rand Mtn	129	-5		
72.00 Rand Mtn	129	-5		
73.00 Rand Mtn	129	-5		
74.00 Rand Mtn	129	-5		
75.00 Rand Mtn	129	-5		
76.00 Rand Mtn	129	-5		
77.00 Rand Mtn	129	-5		
78.00 Rand Mtn	129	-5		
79.00 Rand Mtn	129	-5		
80.00 Rand Mtn	129	-5		
81.00 Rand Mtn	129	-5		
82.00 Rand Mtn	129	-5		
83.00 Rand Mtn	129	-5		
84.00 Rand Mtn	129	-5		
85.00 Rand Mtn	129	-5		
86.00 Rand Mtn	129	-5		
87.00 Rand Mtn	129	-5		
88.00 Rand Mtn	129	-5		
89.00 Rand Mtn	129	-5		
90.00 Rand Mtn	129	-5		
91.00 Rand Mtn	129	-5		
92.00 Rand Mtn	129	-5		
93.00 Rand Mtn	129	-5		
94.00 Rand Mtn	129	-5		
95.00 Rand Mtn	129	-5		
96.00 Rand Mtn	129	-5		
97.00 Rand Mtn	129	-5		
98.00 Rand Mtn	129	-5		
99.00 Rand Mtn	129	-5		
100.00 Rand Mtn	129	-5		

REPORTING THIS WEEK

GEC expected to raise profits

DESPITE poor industrial conditions and concerns over future levels of defence spending, General Electric, the diversified electronics giant headed by Lord Weinstock, is likely to report a relatively solid set of full-year results on Wednesday.

Orders and margins at GEC-Alsthom, the Anglo-French power plants and rail equipment operation, should be developing strongly.

Analysts will be interested to hear how GEC plans to manage its exposure to the defence sector: the group is one of Britain's biggest defence contractors.

Despite the general economic malaise, final pre-tax profits are expected to climb to £820 million, against £818 million last time, according to Credit Lyonnais Laing. Market forecasts range from £815 million to £840 million.

After an unchanged interim dividend, analysts will be keeping a close eye on the final payout, which could be an indicator of GEC's confidence on its short-term prospects. Credit Lyonnais Laing expects earnings per share to edge up to 18.7p (18.6p) and a dividend of 9.55p (9.25p) is predicted, although some think the payout will be maintained.

British Steel, which is chaired by Sir Robert Scholey, is expected today to unveil sizeable full-year losses as the recessionary conditions continue to take their toll.

UBS Phillips & Drew has pencilled in a final pre-tax loss of £100 million, compared with a profit of £254 million last year. Market forecasts range from losses of £50 million to £200 million. A reduced dividend of 4.5p (8.75p) is predicted.

TODAY

Interim: Lovell (Y), Finest: Adam & Harvey, Alphamatic, Avesco, Berkeley, British Steel, Cardo Engineering, Colorvision, Hewlett-Packard, High Income Trust. Economic statistics: Insurance and pensions (fourth quarter); new vehicle registrations (May); major British banking groups' quarterly analysis of lending (March-May); London sterling certificates of deposit (May); monetary statistics, including bank and building society balance sheets (May); bill turnover statistics (May); sterling commercial paper (May); money market statistics (May); engineering sales and orders at current and constant prices (April).

TOMORROW

South Western Electricity is expected by Nigel Hawkins, an analyst at Hoare Govett, to generate final pre-tax profits of £83 million, against £62.1 million last time. Market forecasts range from £82 million to £87 million. Mr Hawkins is looking for a dividend of 17.4p (15.2p).

Ian Hilliker, at County NatWest WoodMac, expects interim pre-tax profits at Lough, the international trading conglomerate headed by Tiny Rowland, to slump by 72 per cent to £30 million (£109 million).

Market forecasts range from £25 million to £35 million. County is looking for earnings to slide to 1.8p (9.4p) a share, with a halved, but unchanged, interim dividend of 2.5p (5p).

Interim: Barcom, Fyffes, Green-Whit Communications, Lough, Wharfedale. Brownriggs Industries, Debenham Tension & Chinnocks, Lowndes Lambert Group, Randfontein Estates Gold Mining, South Western Electricity, Unesco Walker & Staff Holdings, Western Areas Gold Mining. Economic statistics: Finished steel consumption and stock changes (first quarter); personal income, expenditure and savings (first quarter); industrial and commercial companies (first quarter).

WEDNESDAY

Analysts expect Granada, the television and leisure group now headed by Gerry Robinson, to report interim pre-tax profit of between £47 million and £52 million, against £38.5 million last time.

Charter Consolidated, the mining and industrial holding company in which Minorco has a 36 per cent stake, is expected to announce final pre-tax profits of £72.5 million (£77.5 million), according to Credit Lyonnais Laing. Market forecasts range from £70 million to £74 million.

Midlands Electricity is expected to show final pre-tax profits of £135 million, against £96.8 million last time, according to UBS Phillips & Drew. Market forecasts range from £135 million to £140 million. A dividend of 17p (15.04p) is predicted.

Interim: Beristord International, Granada Group. Finalist: Charter Consolidated, Danae Investment Trust, Europe Energy, General Electric, Jones & Shipman, Midlands Electricity, MS International, Project Shop.

THURSDAY

Full-year pre-tax profits at Northern Electric are expected by Hoare Govett to advance to £95 million, compared with £71.1 million last time. Market forecasts range from £96 million to £100 million. Hoare predicts a dividend of 18.5p (16.3p).

Attention may focus on the group's future dividend policy, as the company has high dividend cover and can afford to pay a higher dividend, although it is no doubt concerned about the political and regulatory backlash of such a move.

Interim: Crest Nicholson, Dewhurst, First National Finance Corporation, Partidge Fine Arts. Finalist: Abtrust New Dawn Investment Trust, Alba, Parepak, Gold Greenless Trot, Markham Murray Spill Capital Trust, Northern Electric, Sims Food Group.

FRIDAY

Interim: Clyde Blowers. Finalist: Fuller, Smith & Turner, Joseph (Leopold) Holdings.



PHILIP PANGALOS Worries on defence: Lord Weinstock of General Electric

BRITISH FUNDS

THE Bank of England is expected to utilise the gilt market's new-found strength this week by stepping up the government's huge funding programme. Brokers were forecasting on Friday that the bank may be seriously considering issuing further tranches of longer-dated stocks following the success of last week's

biggest-ever issue, the £2.75 billion of Treasury nine per cent 2012A stock. It was more than 60 per cent oversubscribed, which brokers said clearly reflected the underlying strength of the bond market.

Its return to popularity has been prompted by the decline in equities because of the

economic outlook. Institutions that found themselves scaled down in their applications for the Treasury nine per cent 2012A eventually turned their attention to other longer-dated issues. The absence of significant economic data this week might provide the bank with an opportunity to make its move.

Stock	Outstanding (£m)	Stock	Outstanding (£m)	Price £	Yield %	Price £	Yield %	Price £	Yield %
SHORTS (under 5 years)									
1,300	12% 1992	100%	12.30	9.72					
1,750	12% 1993	100%	12.39	9.68					
600	12% 1994	97%	12.46	9.62					
400	12% 1995	99%	12.51	9.57					
1,650	12% 1996	100%	12.56	9.52					
1,100	12% 1997	100%	12.61	9.47					
1,050	12% 1998	100%	12.66	9.42					
1,000	12% 1999	100%	12.71	9.37					
1,000	12% 2000	100%	12.76	9.32					
1,000	12% 2001	100%	12.81	9.27					
1,000	12% 2002	100%	12.86	9.22					
1,000	12% 2003	100%	12.91	9.17					
1,000	12% 2004	100%	12.96	9.12					
1,000	12% 2005	100%	13.01	9.07					
1,000	12% 2006	100%	13.06	9.02					
1,000	12% 2007	100%	13.11	8.97					
1,000	12% 2008	100%	13.16	8.92					
1,000	12% 2009	100%	13.21	8.87					
1,000	12% 2010	100%	13.26	8.82					
1,000	12% 2011	100%	13.31	8.77					
1,000	12% 2012	100%	13.36	8.72					
1,000	12% 2013	100%	13.41	8.67					
1,000	12% 2014	100%	13.46	8.62					
1,000	12% 2015	100%	13.51	8.57					
1,000	12% 2016	100%	13.56	8.52					
1,000	12% 2017	100%	13.61	8.47					
1,000	12% 2018	100%	13.66	8.42					
1,000	12% 2019	100%	13.71	8.37					
1,000	12% 2020	100%	13.76	8.32					
1,000	12% 2021	100%	13.81	8.27					
1,000	12% 2022	100%	13.86	8.22					
1,000	12% 2023	100%	13.91	8.17					
1,000	12% 2024	100%	13.96	8.12					
1,000	12% 2025	100%	14.01	8.07					
1,000	12% 2026	100%	14.06	8.02					
1,000	12% 2027	100%	14.11	7.97					
1,000	12% 2028	100%	14.16	7.92					
1,000	12% 2029	100%	14.21	7.87					
1,000	12% 2030	100%	14.26	7.82					
1,000	12% 2031	100%	14.31	7.77					
1,000	12% 2032	100%	14.36	7.72					
1,000	12% 2033	100%	14.41	7.67					
1,000	12% 2034	100%	14.46	7.62					
1,000	12% 2035	100%	14.51	7.57					
1,000	12% 2036	100%	14.56	7.52					
1,000	12% 2037	100%	14.61	7.47					
1,000	12% 2038	100%	14.66	7.42					
1,000	12% 2039	100%	14.71	7.37					
1,000	12% 2040	100%	14.76	7.32					
1,000	12% 2041	100%	14.81	7.27					
1,000	12% 2042	100%	14.86	7.22					
1,000	12% 2043	100%	14.91	7.17					
1,000	12% 2044	100%	14.96	7.12					
1,000	12% 2045	100%	15.01	7.07					
1,000	12% 2046	100%	15.06	7.02					
1,000	12% 2047	100%	15.11	6.97					
1,000	12% 2048	100%	15.16	6.92					
1,000	12% 2049	100%	15.21	6.87					
1,000	12% 2050	100%	15.26	6.82					
1,000	12% 2051	100%	15.31	6.77					
1,000	12% 2052	100%	15.36	6.72					
1,000	12% 2053	100%	15.41	6.67					
1,000	12% 2054	100%	15.46	6.62					
1,000	12% 2055	100%	15.51	6.57					
1,000	12% 2056	100%	15.56	6.52					
1,000	12% 2057	100%	15.61	6.47					
1,000	12% 2058	100%	15.66	6.42					
1,000	12% 2059	100%	15.71	6.37					
1,000	12% 2060	100%	15.76	6.32					
1,000	12% 2061	100%	15.81	6.27					
1,000	12% 2062	100%	15.86	6.22					
1,000	12% 2063	100%	15.91	6.17					
1,000	12% 2064	100%	15.96	6.12					
1,000	12% 2065	100%	16.01	6.07					
1,000	12% 2066	100%	16.06	6.02					
1,000	12% 2067	100%	16.11	5.97					
1,000	12% 2068	100%	16.16	5.92					
1,000	12% 2069	100%	16.21	5.87					
1,000	12% 2070	100%	16.26	5.82					
1,000	12% 2071	100%	16.31	5.77					
1,000	12% 2072	100%	16.36	5.72					
1,000	12% 2073	100%	16.41	5.67					
1,000	12% 2074	100%	16.46	5.62					
1,000	12% 2075	100%	16.51	5.57					
1,000	12% 2076	100%	16.56	5.52					
1,000	12% 2077	100%	16.61	5.47					
1,000	12% 2078	100%	16.66	5.42					
1,000	12% 2079	100%	16.71	5.37					
1,000	12% 2080	100%	16.76	5.32					
1,000	12% 2081	100%	16.81	5.27					
1,000	12% 2082	100%	16.86	5.22					
1,000	12% 2083	100%	16.91	5.17					
1,000	12% 2084	100%	16.96	5.12					
1,000	12% 2085	100%	17.01	5.07					
1,000	12% 2086	100%	17.06	5.02					
1,000	12% 2087	100%	17.11	4.97					
1,000	12% 2088	100%	17.16	4.92					
1,000	12% 2089	100%	17.21	4.87					
1,000	12% 2090	100%	17.26	4.82					
1,000	12% 2091	100%	17.31	4.77					
1,000	12% 2092	100%	17.36	4.72					
1,000	12% 2093	100%	17.41	4.67					
1,000	12% 2094	100%	17.46	4.62					
1,000	12% 2095	100%	17.51	4.57					
1,000	12% 2096	100%	17.56	4.52					
1,000	12% 2097	100%	17.61	4.47					
1,000	12% 2098	100%	17.66	4.42					
1,000	12% 2099	100%	17.71	4.37					
1,000	12% 2100	100%	17.76	4.32					
1,000	12% 2101	100%	17.81	4.27					
1,000	12% 2102	100%	17.86	4.22					
1,000	12% 2103	100%	17.91	4.17					
1,000	12% 2104	100%	17.96	4.12					
1,000	12% 2105	100%	18.01	4.07					
1,000	12% 2106	100%	18.06	4.02					
1,000	12% 2107	100%	18.11	3.97					
1,000	12% 2108	100%	18.16	3.92					
1,000	12% 2109	100%	18.21	3.87					
1,000	12% 2110	100%	18.26	3.82					
1,000	12% 2111	100%	18.31	3.77					
1,000	12% 2112	100%	18.36	3.72					
1,000	12% 2113	100%	18.41	3.67					
1,000	12% 2114	100%	18.46	3.62					
1,000	12% 2115	100%	18.51	3.57					
1,000	12% 2116	100%	18.56	3.52					
1,000	12% 2117	100%	18.61	3.47					
1,000	12% 2118	100%	18.66	3.42					
1,000	12% 2119	100%	18.71	3.37					
1,000	12% 2120	100%	18.76	3.32					
1,000	12% 2121	100%	18.81	3.27					
1,000	12% 2122	100%	18.86	3.22					
1,000	12% 2123	100%	18.91	3.17					
1,000	12% 2124	100%	18.96	3.12					
1,000	12% 2125	100%	19.01	3.07					
1,000	12% 2126	100%	19.06	3.02					
1,000	12% 2127	100%	19.11	2.97					
1,000	12% 2128	100%	19.16	2.92					
1,000	12% 2129	100%	19.21	2.87					
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1,000	12% 2131	100%	19.31	2.77					
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1,000	12% 2145	100%	20.01	2.07					
1,000	12% 2146	100%	20.06	2.02					
1,000	12% 2147	100%	20.11	1.97					
1,000	12% 2148	100%	20.16	1.92					
1,000	12% 2149	100%	20.21	1.87					
1,000	12% 2150	100%	20.26	1.82					
1,000	12% 2151	100%	20.31	1.77					
1,000	12% 2152	100%	20.36	1.72					
1,000	12% 2153	100%	20.41	1.67					
1,000	12% 2154	100%	20.46	1.62					
1,000	12% 2155	100%	20.51	1.57					
1,000	12% 2156	100%	20.56	1.52					
1,000	12% 2157	100%	20.61	1.47					

Ubogu badly injured from stamping

Barnes misses the chance to land victory for England

New Zealand XV 24
England B 18

FROM DAVID HANDS
RUGBY CORRESPONDENT
IN HAMILTON

POOR Stuart Barnes was inconsolable after England B were beaten for the first time this year at Rugby Park here yesterday. Victory was within his grasp but the Bath stand-off half suffered a goal-kicker's nightmare as he missed eight attempts at goal in the first of the two "international" of the tour.

England can point to four tries against New Zealand's two but they know that the opportunities they rejected will not come again. Rubbing salt in the wound is the knowledge that Victor Ubogu's tour is surely over after a stamp on the head sent him to hospital after only four minutes with an ear lacerated to the cartilage, a wound requiring ten stitches and immediate cosmetic surgery.

Ubogu was in no doubt that the kick was intentional and the England forwards believed that Chris Tregaskis, the Wellington lock, was responsible, as he was for trampling so severely on Clarke's back that the No. 8's jersey was left in tatters. In neither case did the touch judge, Hugh Chisholm, intervene.

That, though, was not why England lost by two goals, two penalty goals and two

dropped goals to a goal and three tries. They failed to score the points their positional play suggested they should in the first 50 minutes and they made too many unforced errors. The longer the game went on the better the New Zealand XV forwards became and they were able, through their back row, to mount such pressure on Barnes that the England captain had one of his most indifferent days.

Three of England's tries were genuinely conceived scores: the fourth, an interception by Underwood in the final minute, answered a similar try by Tagaloa as England, attacking with desperate zeal from tapped penalties, lobbed a pass into his hands. The passer was the unhappy Barnes. Both the penalties that Cooper kicked were avoidable, as were both the dropped goals, the one after a free kick against the England front row for going down too early, the other after a missed touch.

Adding to self-inflicted wounds was the penalty that terminated an intense five minutes of pressure early in the second half, when England packed down for five five-metre scrums and came away pointless. Warren Gatland, New Zealand's captain, conceded that failure then was the psychological turning point after England had reached the interval 8-6 to the good.

By that time Barnes had missed four penalties, two conversions two kicks hit the

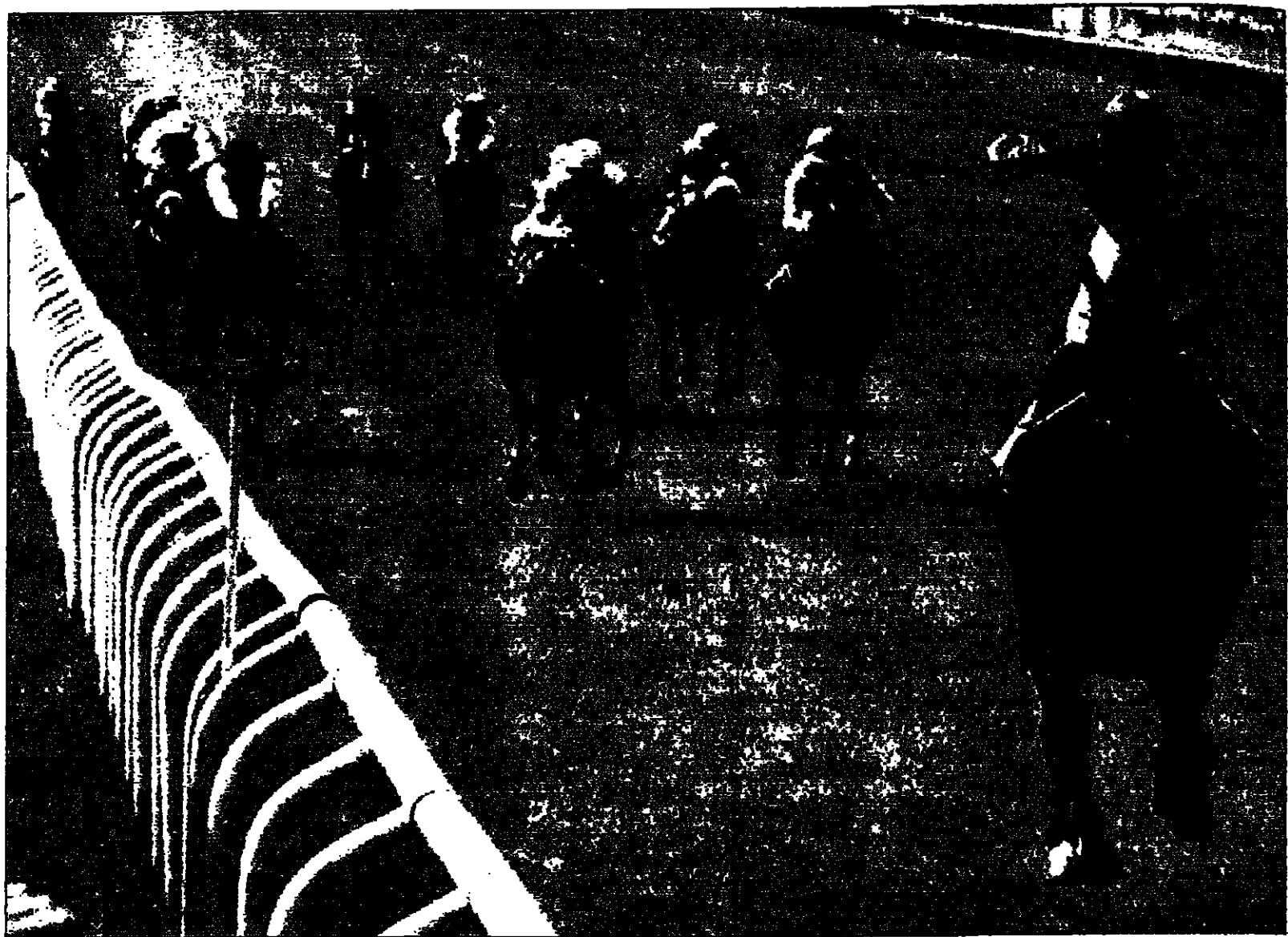
post) and a dropped goal. "It was as though there was a force field round the posts," he said. "I didn't kick badly. I just missed everything."

It was a daunting start for New Zealand: the tannoy blared out "Advance Australia Fair" as a preliminary and within three minutes Hunter had broken two tackles to cross for a try. Quick scrum ball gave Clarke the chance to work a set-piece move admirably with Hopley, and there was a message there for England about moving quick ball to the backs which, for much of the game, they ignored.

Nobody did more to bring New Zealand into the game than Gordon, the local player, and Allen, both at lineout and in the loose. Taylor, too, prospered until Bayfield moved back to mark him but it was deep into the third quarter before Cooper's first dropped goal gave New Zealand the lead, while their domination earned Crabb his try.

Even then, England responded from one of the few moves which gave them a sequence of possession. Dave charged from the front of a lineout, the ruck was won and de Glanville streamed into space before launching Hunter at the line. Even when Cooper dropped his second goal, a beauty from the touch-line, better control by England might have brought a reward. But control of the ball has not been a feature of England's play and only rarely yesterday was that remedied.

SCORES: New Zealand XV: Tries: Crabb, Tagaloa, Cooper (2), Hunter, Underwood. Conversions: Cooper (2), Hunter (2). Dropped goals: Cooper (2), Hunter (2). England B: Tries: Barnes (2), Hopley, Underwood, Conversions: Hunter (2), Barnes (2). Dropped goals: Barnes (2), Hunter (2). New Zealand XV: G. Cooper (Captain), E. Ruan (North Harbour), S. Pearce (North Harbour), M. Horne (North Harbour), T. Tagaloa (North Harbour), L. Stanger (North Harbour), S. Crabb (Wellington), M. Allen (North Harbour), M. Gallett (Wellington), P. Coffin (King Country), G. Taylor (North Harbour), S. Gordon (Wellington), C. Tagaloa (North Harbour), P. Seymour (Canterbury), R. Turner (North Harbour), ENGLAND B: I. Hunter (Northampton), S. Hacking (Leicester), P. Barnes (Bath), A. K. Barnes (Leicester), V. Ubogu (Leicester), A. Mullins (Leicester), G. Denton (Leicester), B. Baldwin (Northampton), M. Greenwood (Northampton), D. Baldwin (Leicester), B. Northampton (Northampton), S. Clarke (Bath). Referee: L. McLachlan (Otago).



Record-breaker: St Jovite, right, gallops relentlessly clear of his rivals to capture the Budweiser Irish Derby at the Curragh yesterday

St Jovite takes emphatic Derby revenge

FROM MICHAEL SEELY
IN DUBLIN

PACEMAKING tactics planned and executed by Jim Bolger and Christy Roche in yesterday's Budweiser Irish Derby resulted in the sensational defeat of Dr Devine's 5-4 on favourite trailed in 12 lengths the drift of his Epsom victim, St Jovite.

The blistering gallop on the fast going resulted in a track record of 2min 25.6sec, nearly three seconds inside Princess Pail's 1984 Irish Oaks time.

St Jovite was the first Irish-trained winner of their Derby since Law Society in 1985 and 12 lengths the widest winning distance since the race became the Sweeps Derby in 1966.

Roche, aged 42 and five times Irish champion jockey, was lucky to have been in the saddle after the hearing against his 15-day ban for improper riding had been put forward to July 6.

The rider had excelled him-

self with his intelligent execution of the planned tactics, following the pacemakers, Appling Bubbles and Miming Tycoon until kicking for home five furlongs out.

"He has achieved what we always felt he would achieve," said Roche. "We always felt he could win this race. He's as good a horse as I've ridden and will improve from this."

The rangy St Jovite looked in magnificent condition before and reflected the highest credit on the champion Irish trainer.

He hadn't quite come to himself at Epsom, but he was cherry ripe today," Bolger said. "I was a little surprised by the distance of 12 lengths. I would have settled for six. The plan is now to go for the King George VI and Queen Elizabeth Diamond Stakes. We wouldn't think about the possibility of the Arc until after that."

The trainer then explained further. "It is the time between

Epsom and the Curragh that has been such a crucial factor. He's been telling us day by day that he's getting better and better. He's not only the best horse I've trained, he's just about the best winner of the Irish Derby I've seen."

In response to persistent questioning, Bolger also made it plain where he stood over his oft-repeated statement that he would not have run St Jovite if Roche had not been allowed to ride.

"Mrs Kraft Payson and I have felt all along that we wouldn't have wanted to have run without Christy. He's such an integral part of the horse. He's responsible for 50 per cent of the training and 50 per cent of the tactics as well."

Ladbrokes have installed St Jovite at 5-4 on for the King George VI and then go 5-2 Saddlers' Hall and 8-1 bar.

However, brilliant horse that yesterday's winner undoubtedly is, Dr Devine was clearly a shadow of the horse

that was always travelling so easily before his Epsom Derby win. The fact that yesterday's runner-up finished only a length in front of Contested Bid, the French Derby third, tells its own tale.

"Well, the man who runs Irish racing has won the Irish Derby," said Peter Chapple-Hyam resignedly. "John Reid said that Dr Devine ran a bit flat. Some of my horses have not been right and maybe he was affected. But we'll give him a rest and we'll be back to try and reverse this form."

Reid commented: "We were a bit messed about by the pacemakers. But there are no excuses. When we went after St Jovite, he just lengthened his stride and kept on galloping."

Bolger and Roche were in invincible form throughout the afternoon, the pair landing a five-minute by also winning with Perfect Imposter, Ivory Frontier, Arrikala and Park Dream.

Two of the other races went to Michael Roberts, who won the Sea World International Stakes on Skelston and the P V Doyle Memorial Scurry Cup on Gentle Step, who proved too good for the Yorkshire challenger, Double Blue.

On Saturday, Ruby Tiger's attempt to land the Pretty Polly Stakes for the second year running was foiled when the mare was overwhelmed in the final furlong by Dermot Weld's Market Booster, who went on to win by a length for Michael Kinane.

Currage details

Group 1

3.30 BUDWEISER IRISH DERBY (Group 1)

3.45 Contested Bid (5 furlongs) 1m 41.20sec

ST JOVITE (5 furlongs) 2m 25.6sec

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Wimbledon 1992: the state of play after the first week of the championships

McEnroe's magic highlights six breathtaking days

BY ANDREW LONGMORE
TENNIS CORRESPONDENT

WIMBLEDON is the only grand slam tournament to keep the middle Sunday free for a day of rest and, whatever the unique emotions aroused last year, the tradition has rightly been restored this time.

After six days of hectic, intense competition, which frays tempers and adds minds everyone needs a moment to reflect and prepare for what Goran Ivanisevic has called "a new tournament" this week.

It has been a breathtaking first six days, marked by the brooding brilliance of John McEnroe and Pat Cash, punctuated by upsets and by unexpected triumphs for Britain's Jeremy Bates, and, according to IBM's statistics for *The Times*, dominated far less by services than 12 months ago.

By far the greatest surprise has been the defeat, on Saturday, of Jim Courier, the world No. 1 and top seed, by Andrei Olhovskiy, a Russian ranked 193, who had lost in the first round of his last five tournaments.

Courier's enormous confidence, his unbeaten grand slam record this year and his 25 consecutive victories counted for nothing against an opponent whose mediocre pedigree belied an instinctive grasp of the geometry of lawn tennis.

The Russian took a set off Boris Becker last year, so the warning signs were there.

Courier was as gracious in defeat as he was straggly in victory at the French Open earlier in the month. Though he would never admit it, there might even be a tinge of relief mixed with his champion's disappointment. No more questions about grand slams, for another year, at least.

Because he will always be heavily involved in the French Open, Courier is going to be vulnerable at Wimbledon in the early rounds, just as Borg was. Asked what quality you needed to do the grand slam, Courier replied: "Luck." The luck not to come across an Olhovskiy playing out of his skin on your least favourite surface.

At a stroke, defeat for Courier, the first top seed to be beaten by a qualifier in the open era, opens up tantalising possibilities for the most celebrated qualifier of them all. In 1977, in his first Wimbledon, McEnroe reached the semi-final as a qualifier and it would be a neat twist to the tale if he could return to the last four again, 15 years on, in possibly his farewell year.

Suddenly, Cash v McEnroe.

WIMBLEDON COMPARISONS			
	1991	1992	
Men			
Aces as percentage of total pts	9.1	6.8	
Unreturned serves as percentage of total pts	37.8	32.2	
Service breaks as percentage of chances	33.0	36.5	
Average games per break	6.1	6.2	
Average points per game	215.3	233.2	
Average points per match	3.9	9.6	
Average games per set	38.9	37.2	
Women			
Aces as percentage of total pts	3.3	2.5	
Unreturned serves as percentage of total pts	23.0	22.5	
Service breaks as percentage of chances	48.5	52.6	
Average games per break	2.9	2.6	
Average points per game	6.4	6.1	
Average points per match	11.4	9.7	
Average games per set	17.8	15.9	

Statistics compiled by Bill 1992 figures are from 30 matches sampled on the show courts

which seemed at the time no more than an exhibition from the archives, a brilliant but irrelevant contest between two former champions vying for the right to be beaten by someone else, has been turned into something much more significant. The ease with which McEnroe swept aside David Wheaton, a semi-finalist here last year, to reach the fourth round prompted all sorts of improbable thoughts.

In his prime — and he is not far off that now — neither Olhovskiy, his opponent today, nor Guy Forget or the new national hero, Bates, potential quarter-final opposition, would hold any fears for him. Beyond that, who knows? Andre Agassi or Boris Becker. Perhaps.

Becker apart, most of the really big cruises — Michael Stich, Pete Sampras, Stefan Edberg and Goran Ivanisevic — have been floating menacingly through the bottom half of the draw. The defending champion has not been thoroughly convincing yet but then nor was he during the opening week last year.

He was desperately nervy for two sets against Amos Mansdorf and his contention that he is playing more conservatively this year is understandable but worrying. He must now throw caution to the wind again.



Graf pushed hard

Interestingly, only eight seeds have survived to the last 16 in both men's and women's draws, undermining accusations of predictability in the women's game. The week ended with Steffi Graf, of all people, being pushed to the limit by Marianne D. Swart, ranked 76.

Figures based on 30 show-court matches — 15 men's, 15 women's — from the first three rounds do not reflect so well on the competitiveness of the women's game. While the average games per set in a men's match is 9.6 — between 6.3 and 6.4 — it is below 6.2 for the women, which makes a mockery of calls for a best-of-five set format throughout the seven rounds of a grand slam.

Consideration, though, should be given to playing the semi-finals and finals over five sets. At its best, women's tennis is as subtle and colourful as the men's game; at its worst, it can be brutal and boring. It would be a merciful relief if some men's matches ended after two sets. Quantity does not guarantee quality.

Despite the antics of Ivanisevic, the guardians of the International Tennis Federation should note that, thankfully, the service has been less of a force in men's singles so far this year.

Figures show there have been a quarter fewer aces, services have been broken more often and games have been better contested. That is partly a reflection of the courts, which are harder and of truer bounce than last year.

Both draws are finely balanced, with old warriors like Navratilova and McEnroe jousting with Monica Seles, Agassi and a host of new names — Olhovskiy, Naoko Sawamatsu, Yuyuk Basuki and Christian Saccanu — to take the titles away from Stich and Graf.

It may be a new tournament this week but the crowns will remain on familiar heads come next weekend.

MEN'S SINGLES					
First round	Second round	Third round	Fourth round	Quarter-finals	Semi-finals
(1) J. COURIER (US) bt M. Zverev (Ger) 6-2 6-2 6-3	J. COURIER bt B. Black 6-4 6-1 6-4				
B. Black (Zim) bt F. Fontang (Fr) 6-2 7-5 6-1	A. Olhovskiy bt J. COURIER 6-4 6-1 6-4				
K. Kinnear (US) bt C. U. Steeb (Ger) 7-6 6-2 6-7 6-1	A. Olhovskiy bt K. Kinnear 6-4 7-6 6-3				
A. Olhovskiy (CIS) bt J. Stark (US) 6-4 3-6 6-3 3-6 7-5					
P. Cash (Aus) bt J. Eltingh (Hol) 6-4 6-4 7-6	J. McEnroe bt P. Cash 6-7 6-4 6-7 6-3 6-2				
J. McEnroe (US) bt L. Mattar (GB) 5-7 6-1 6-3 6-3	J. McEnroe bt D. Wheaton 6-3 6-4 6-4				
T. Martin (US) bt H. de la Pena (Arg) 6-1 6-0 6-3	D. Wheaton bt T. Martin 6-3 6-3 6-7 6-3				
(16) D. Wheaton (US) bt F. Clavet (Sp) 6-3 6-3 6-3					
(3) G. Forget (Fr) bt A. Moroz (Ger) 6-3 3-6 7-5 7-6	G. Forget bt A. Jarryd 4-6 6-3 6-3 6-3 10-8				
A. Jarryd (Swe) bt C. Bailey (GB) 6-4 6-3 6-0	G. Forget bt H. Leconte 7-6 6-3 6-3 6-3				
B. Karbacher (Ger) bt R. Gilbert (Fr) 2-6 7-5 2-6 6-4 6-4	H. Leconte bt B. Karbacher 7-5 6-2 7-6				
H. Leconte (Fr) bt R. Azar (Arg) 6-3 6-0 6-3					
L. Lavalle (Mex) bt A. Castaño (GB) 6-4 6-0 7-6	T. Champion bt L. Lavalle 7-6 6-3 5-7 7-5				
T. Champion (Fr) bt R. Rensberg (US) 5-7 6-4 3-6 7-6 6-3	J. Bates bt T. Champion 7-5 6-4 6-7 4-6 6-4				
J. Sanchez (Sp) bt G. Raux (Fr) 6-4 7-6 5-7 3-6 9-7	J. Bates bt J. Sanchez 7-6 6-3 6-4				
J. Bates (GB) bt M. Chang (US) 6-4 6-3 6-3					
(4) B. Becker (Ger) bt O. Comares (It) 7-5 6-3 7-5	B. Becker bt M. Damm 4-6 6-4 6-4 3-6 6-3				
M. Damm (Cz) bt C. Pridham (Can) 6-4 6-4 6-4	B. Becker bt B. Shalton 6-4 6-3 7-6 7-6				
B. Shalton (US) bt K. Curran (US) 3-6 7-6 4-6 7-6 9-7	B. Shalton bt O. Delaire 7-6 6-3 6-3				
O. Delaire (Fr) bt L. Seach (US) 6-1 7-6 3-6 3-6 6-2					
L. Herrera (Mex) bt J. Connors (US) 6-2 1-6 7-5 6-3	L. Herrera bt S. Masurova 6-4 6-4 5-7 4-6 6-3				
S. Masurova (Japan) bt M. Washington (US) 6-2 6-1	W. Ferreira bt L. Herrera 7-6 6-1 4-6 6-0				
C. van Rensburg (SA) bt J. Tarrago (US) 7-6 6-4 7-5	W. Ferreira bt C. van Rensburg 6-3 6-3 6-7 6-3				
(14) W. Ferreira (SA) bt J. Fitzgerald (Aus) 6-2 6-2 6-7 7-5					
(12) A. Agassi (US) bt A. Cherkasov (CIS) 6-7 6-1 7-5 7-5	A. Agassi bt E. Messo 4-6 6-1 6-3 6-3				
E. Messo (Bel) bt N. Kroon (Swe) 6-7 6-4 6-2 2-6 6-4	A. Agassi bt D. Rostagno 6-3 7-6 7-5				
J. Yzagre (Peru) bt M. Gorz (Sp) 6-4 6-4 6-2	D. Rostagno bt J. Yzagre 6-3 6-3 6-1				
D. Rostagno (US) bt T. Carbonell (Sp) 2-6 6-1 6-1 6-2					
C. Pridham (Can) bt C. Pridham (Can) 6-3 6-3 6-3 7-5	C. Saccanu bt C. Pridham 4-6 6-4 6-6 7-5 7-5				
C. Saccanu (Ger) bt M. Karpas (Arg) 7-5 6-3 2-6 7-5	C. Saccanu bt J. Hasek 7-6 3-6 6-3 1-6 6-3				
J. Hasek (Cz) bt M. Schapers (Hol) 6-4 6-3 6-2	J. Hasek bt P. Korda 4-6 6-3 6-3 7-6 10-14				
(6) P. Korda (Cz) bt C. Benstrom (Swe) 7-5 7-6 6-4					
(5) P. Sampras (US) bt A. Cherkasov (CIS) 6-1 6-3 6-3	P. Sampras bt T. Woodbridge 7-6 7-6 6-7 6-4				
T. Woodbridge (Aus) bt F. Rouse (Fr) 6-2 7-5 6-4	P. Sampras bt S. Davis 6-1 6-0 6-2				
K. Braasch (Ger) bt D. Nargiso (It) 6-3 3-6 6-7 7-5 6-3	S. Davis bt K. Braasch 6-7 7-6 7-6 6-3				
S. Davis (US) bt C. Meszari (Swe) 6-1 6-3 6-3					
F. Roly (Sp) bt C. Minussi (Arg) 6-2 6-3 6-4	A. Boetsch bt F. Roly 6-4 6-2 6-2				
A. Boetsch (Fr) bt J. Grabl (US) 7-6 7-5 6-4	A. Boetsch bt R. Krajicek 4-6 7-6 3-6 7-6 6-2				
P. Harnus (Hol) bt J. Stollenberg (US) 6-3 7-5 4-6 4-6 7-5	R. Krajicek bt P. Harnus 7-6 6-3 6-1				
(11) R. Krajicek (Hol) bt J. Delagrè (SA) 7-5 6-1 6-2					
(13) G. Gilbert (US) bt J. Flaurin (Fr) 6-2 6-3 6-2	B. Gilbert bt S. Yul 6-1 7-5 7-5				
S. Yul (Aus) bt R. Fromberg (Aus) 6-2 6-3 6-1 Ret	W. Masur bt B. Gilbert 6-3 6-7 6-7 6-4 6-2				
W. Masur (Aus) bt L. Jonsson (Swe) 6-2 6-2 6-1	W. Masur bt N. Knowles 6-3 6-4 7-6				
N. Knowles (Bel) bt M. Koewmans (Hol) 6-2 6-1 6-3					
C. Costa (Sp) bt C. Limberger (Aus) 6-1 4-6 5-7 6-3 6-3	M. Larsson bt C. Costa 7-5 6-3 6-7 6-4				
M. Larsson (Swe) bt J. Franca (Arg) 6-3 7-6 6-4	M. Stich bt M. Larsson 6-4 3-6 6-3 7-6				
A. Mansdorf (Ger) bt M. Naewie (Ger) 6-3 7-6 6-4	M. Stich bt A. Mansdorf 4-6 7-6 6-3 6-3				
(9) M. Stich (Ger) bt S. Pascosido (It) 6-3 6-3 6-2					
(8) G. Ivanisevic (Cz) bt L. Koslovski (Ger) 6-2 6-2 6-3	G. Ivanisevic bt M. Woodforde 6-4 6-4 6-7 6-3				
M. Woodforde (Aus) bt J. Siemerink (Hol) 6-3 6-2 6-6 7-5	G. Ivanisevic bt M. Rosset 7-6 6-4 6-4				
M. Rosset (Swe) bt A. Richardson (GB) 6-2 6-4 6-4	M. Rosset bt M. Polchey 7-6 6-2 6-3				
M. Polchey (GB) bt D. Randall (US) 7-6 5-2 6-7 6-3					
S. Stolle (Aus) bt K. Novacek (Cz) 7-5 6-6 Ret	S. Stolle bt C. Wilkerson 3-6 6-4 7-6 6-4				
C. Wilkerson (GB) bt G. Pozzi (It) 6-3 6-3 2-6 7-6	I. Lendl bt S. Stolle 6-3 1-6 2-6 6-3 7-5				
A. Thoms (Ger) bt T. Witsken (US) 6-2 2-6 6-2 6-2	I. Lendl bt A. Thoms 7-5 7-6 1-6 7-5				
(10) I. Lendl (Cz) bt P. Kuitman (Ger) 6-1 7-6 7-6					
(15) A. Volkov (CIS) bt E. Sanchez (Sp) 6-3 6-2 4-6 6-2	A. Volkov bt B. Stankovic 6-4 7-5 6-3				
B. Stankovic (Cz) bt A. Foster (GB) 6-2 6-4 6-3	H. Holm bt A. Volkov 6-4 3-6 6-3 7-6				
N. Kuti (Swe) bt G. Lopez (Sp) 6-0 6-0 6-1	H. Holm bt N. Kuti 6-1 6-2 6-2				
H. Holm (Swe) bt G. Doyle (Aus) 6-3 6-2 2-6 6-4	G. Stafford bt P. McEnroe 6-4 7-6 2-6 6-2				
P. McEnroe (US) bt F. Montana (US) 6-4 6-1 6-1	S. Edberg bt G. Stafford 6-1 6-0 6-2				
G. Stafford (SA) bt T. Muster (Aus) 6-3 6-3 7-6	S. Edberg bt G. Muller 7-6 6-3 7-5				
G. Muller (SA) bt M. Ondruska (SA) 6-7 6-3 7-6 6-3					
(2) S. Edberg (Swe) bt S. Bryan (US) 6-1 6-3 6-0					

CYCLING

Boardman dispels the doubts

By Peter Bryan

THE doubts Chris Boardman had about successfully defending his national 50-miles title at Tiverton, Devon, yesterday were valid. He is finishing his preparation for the Olympic 4,000 metres track pursuit and his training is for speed rather than endurance.

But Boardman's tinge of pessimism was unnecessary. He kept the title on a day when all his rivals appeared to be going backwards, set a championship record of 1hr 43min 1sec and made mince-meat of the course record of 1hr 53min 47sec.

After Geethin Butler, his closest challenger, retired because of sickness at the halfway point, Boardman remained well clear.

His fellow Olympian, Matthew Flinders, riding his first 50-miles trial, was in second place in ten miles, half a minute down, and remained there to the finish, 5min 24sec in arrears.

Boardman found it hard cycling into the wind on the final 20 miles, which took a riding time of 43min 43sec, compared with his opening 20 miles in 40min 45sec.

Throughout the trial Boardman's heart-rate, which is 42 at rest, was generally 175, but it dropped to 160 on the hard stretches into a head wind.

RESULTS: 1. C. Boardman (GS Strada), 1hr 43min 1sec (championship record); 2. M. Flinders (GS Strada), 1hr 48min 25.3; 3. S. Dargatzis (Lao RC), 1hr 49min 4.4; 4. P. Longbottom (GS Strada), 1hr 49min 15.4; 5. G. Depireux (Manchester Wheelers), 1hr 51min 21.6; 6. J. Newton (GS Strada), 1hr 51min 25.4; 7. S. Strada (Boardman), 1hr 52min 41.5sec.

BOXING

Eubank drops principles to take up rematch with Benn

FROM SRIKUMAR SEN, BOXING CORRESPONDENT, IN QUINTA DO LAGO

CHRIS Eubank, who has been floored only once in his 32-bout career, was brought to his knees once again on Saturday — not by Ron Essett, his opponent here, but by his own venality. After claiming that he would never defend his World Boxing Organisation super-middleweight title against Nigel Benn unless paid £1.6 million, he agreed to the bout for "far less".

Neither he nor his promoter, Barry Hearn, would say how much he had accepted. "I'm negotiating with Benn and it won't be right to tell you what Chris is getting," Hearn said. But he did say that a split of £750,000 for Eubank and £250,000 for Benn would not be far out. If Benn accepts the bout, it will take place at Queen's Park Rangers' or Tottenham Hotspur's football ground on September 26.

The figures make a neat £1 million, but it will mean that far from getting his £1 million tax-paid, Eubank will end up with a mere £400,000, or even less after the tax man and others have taken their cut.

It all adds up to a humiliating climbdown for Eubank. He further compromised his "principles" by admitting that the tabloids, a group for which he has no respect, had forced his hand. As a result of the public clamour for a rematch with Benn, they had orchestrated, his "manhood" had been questioned.

He said: "I have reached a compromise because people have started to question my manhood. If there is one

person who questions my manhood, that must be put right. The papers have swung the balance. Money becomes secondary when somebody is questioning someone's pride."

Whether or not he is successful in upholding his "manhood" against Benn, his backing down will not have helped his image. Eubank has tried to lift himself above the "blood business" of boxing by presenting himself as a man of principle. He has said about the bout with Benn: "There is a principle here. I want to set it for £1.6 million. If I don't get it, I promise you it [the bout] won't happen."

In an exclusive article in *Badging News* he had said: "My price for the rematch is £1.6 million. If I don't get it, I'll throw in the title. I don't mean anything. I'll still be 31-0; I'll still be The Man; I'll start from the bottom again... that's good for the soul."

No doubt, as a result of being unable to get to grips with Essett, Eubank is glad that he has not given up his title to chase others in the hands of more elusive champions. The bout with Benn will come as a relief to him. He is happiest when his opponents come to him, and that Benn will do. He has been looking for Eubank for 18 months and will welcome the champion's decision to give him another chance.

Gordie, Italy: Wilfredo Vazquez, of Puerto Rico, showed commanding form to retain the World Boxing Association super-bantamweight title with a decisive points victory over Freddy Cruz, of the Dominican Republic here yesterday.

Eubank: hand forced

RESULTS: 1. C. Boardman (GS Strada), 1hr 43min 1sec (championship record); 2. M. Flinders (GS Strada), 1hr 48min 25.3; 3. S. Dargatzis (Lao RC), 1hr 49min 4.4; 4. P. Longbottom (GS Strada), 1hr 49min 15.4; 5. G. Depireux (Manchester Wheelers), 1hr 51min 21.6; 6. J. Newton (GS Strada), 1hr 51min 25.4; 7. S. Strada (Boardman), 1hr 52min 41.5sec.

TODAY'S ORDER OF PLAY

Selected players in capitals

from start on centre court and court one

from start on court one

from start on court one

from start on court one

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Wimbledon 1992: the state of play after the first week of the championships

First round	Second round	Third round	Fourth round	Quarter-finals	Semi-finals
(1) M SELES (Yug) bt J Byrne (Aus) 6-3 6-2	M SELES bt S Appelmans 6-3 6-2				
S Appelmans (Bel) bt M Babal (Ger) 6-0 6-2	M SELES bt L Gildemeister 6-4 6-1				
L Gildemeister (Bel) bt B Bowes (US) 6-0 6-2	L Gildemeister bt G Helgeson 3-6 6-4 7-5				
G Helgeson (US) bt F Li (China) 6-1 6-2					
C Porvick (Ger) bt L Savchenko-Nelander (Lat) 6-0 6-3	C Porvick bt S Stedall 6-4 6-2				
S Stedall (GB) bt V Laka (CZ) 2-6 6-4 6-3	G Fernandez bt C Porvick 6-2 6-0				
G Fernandez (P Rio) bt D Faber (US) 6-4 4-6 6-3	G Fernandez bt K DATE 6-1 6-3				
(19) K DATE (Japan) bt C Kuhlman (US) 7-6 6-2					
(14) N TALIZAT (Fr) bt B Schultz (Hol) 6-4 6-0	N TALIZAT bt N Medvedeva 7-5 2-6 6-3				
N Medvedeva (Ukr) bt C Wood (GB) 6-3 6-3	N TALIZAT bt N Provis 4-6 7-5 6-3				
N Provis (Aus) bt W Probst (US) 6-0 6-3	N Provis bt R Zrubekova 6-2 6-4				
R Zrubekova (CZ) bt K Oskierska (Ger) 6-1 6-1					
L Allen (US) bt S Gomer (GB) 3-6 6-1 7-5	A Frazer bt L Allen 7-6 6-1				
A Frazer (US) bt L Goleas (GB) 6-2 6-1	A Frazer bt M J FERNANDEZ 6-3 6-3				
N Dehman (Fr) bt E Marinkova (CZ) 7-6 6-4	M J FERNANDEZ bt N Dehman 7-5 6-2				
(7) M J FERNANDEZ (US) bt S Bentley (GB) 6-1 6-0					
(4) M NAVRATILOVA (US) bt M Maleeva (Bul) 6-2 6-2	M NAVRATILOVA bt K Po 6-2 6-6 6-0				
K Po (US) bt B Simpson-Alter (Can) 6-4 6-3	M NAVRATILOVA bt B Rittner 7-5 6-1				
S Frank (Ger) bt E Sziglerova (CZ) 6-2 6-0	B Rittner bt S Frank 6-0 6-0				
B Rittner (Ger) bt T Whittington (US) 6-4 6-1					
Y Basuki (Indo) bt F Labat (Arg) 6-2 6-2	Y Basuki bt Sack 7-5 6-3				
S Hack (Ger) bt P Paradis-Monjon (Fr) 6-3 1-6 12-10	Y Basuki bt A HUBER 6-2 6-3				
C Tessi (Arg) bt S Tassi (Fr) 4-6 6-3 6-4	A HUBER bt C Tessi 6-2 6-2				
(10) A HUBER (Ger) bt L Ferrando (It) 6-4 6-4					
(12) K MALEVA (Bul) bt C Hall (GB) 6-2 6-2	K MALEVA bt M Bollograt 6-4 6-1				
M Bollograt (Hol) bt C Wagin (Hol) 6-1 6-2	K MALEVA bt M Endo 7-5 6-3				
A Grunfeld (GB) bt S Meier (Ger) 4-6 6-2 6-4	M Endo bt A Grunfeld 6-7 6-2 7-5				
M Endo (Japan) bt B Rulo-Villa (Arg) 6-1 6-2					
H Sukova (CZ) bt S Rottler (Hol) 3-6 6-1 7-5	H Sukova bt A Dechaume 7-5 6-2				
A Dechaume (Fr) bt S Loomer (GB) 6-1 4-6 6-4	J Helard bt H Sukova 4-6 6-1 6-3				
J Helard (Fr) bt R Rajchrtova (CZ) 6-1 6-1	J Helard bt A SANCHEZ VICARIO 6-3 6-2 6-3				
(6) A SANCHEZ VICARIO (Esp) bt L Meskhi (GB) 6-3 7-6					
(9) J CAPRIATI (US) bt C Rubin (US) 6-0 7-5	J CAPRIATI bt P Shriver 6-2 6-4				
P Shriver (US) bt E Shukhovets (CZ) 1-6 6-3 6-1	J CAPRIATI bt P Hy 6-3 6-1				
P Hy (Can) bt E Krichak (SA) 6-4 6-2	P Hy bt P Thoren 6-2 6-7 6-1				
P Thoren (Fin) bt J Senterock (US) 6-3 7-6					
A Simedova (CZ) bt L Field (Aus) 6-2 6-2	N Sawamatsu bt A Simedova 6-3 7-6				
N Sawamatsu (Japan) bt C Tinker (Fr) 6-2 7-5	N Sawamatsu bt J WIESNER 6-1 7-5				
K Nowak (Pol) bt V Humphreys-Davies (GB) 6-3 6-0	J WIESNER bt K Nowak 6-0 6-1				
(16) J WIESNER (Austria) bt M Kildow (Japan) 6-2 6-2	M MALEVA-FRAGNIERE bt K Rinaldi 4-6 6-3 6-4				
(8) M MALEVA-FRAGNIERE (Swi) bt N Muns-Jagman (Hol) 6-1 6-4	K Rinaldi bt M MALEVA-FRAGNIERE 7-5 7-6				
K Rinaldi (US) bt A Davies (GB) 6-2 7-6	K Goodridge bt M MALEVA-FRAGNIERE 7-5 7-6				
C Rhode-Kisch (Aus) bt R McQuillan (Aus) 2-6 6-2 6-4	K Goodridge bt C Rhode-Kisch 6-4 7-5				
K Goodridge (Aus) bt M Oram (Hol) 6-3 6-3					
R Hink (Jap) bt K Schwend (Ger) 6-0 6-3	R Hink bt T Whittington 6-1 7-5				
T Whittington (US) bt S Nix-Chateau (Fr) 6-1 4-6 7-5	G SABATINI bt R Hink 6-0 6-4				
I Demongot (Fr) bt R White (US) 6-2 6-3	G SABATINI bt I Demongot 6-2 6-3				
(3) G SABATINI (Arg) bt C Fauche (Swi) 6-1 6-1					
(5) C MARTINEZ (Spa) bt P Daniels (US) 6-1 6-0	N Zvereva bt C MARTINEZ 6-3 6-7 6-4				
N Zvereva (CIS) bt N Hansen (Den) 6-3 6-2	N Zvereva bt L McNeil 7-5 6-4 7-5				
R Stubbs (Aus) bt N Baudons (It) 6-2 7-5	L McNeil bt R Stubbs 6-1 6-3				
L McNeil (US) bt C Sule (Fr) 6-1 7-5	R Fairbank-Nidderer bt K Adams 6-3 6-4				
K Adams (US) bt S Farina (It) 6-3 6-2	Z GARRISON bt R Fairbank-Nidderer 6-4 6-2				
R Fairbank-Nidderer (US) bt V Martinek (Ger) 7-6 6-1					
L Harvey-Wild (US) bt J Durie (GB) 6-4 6-2	J NOVOVINA bt C Lindqvist 6-3 6-2				
(13) Z GARRISON (US) bt F Borsenhorst (It) 6-0 6-1	P Fendick bt J NOVOVINA 6-3 6-3				
(11) J NOVOVINA (CZ) bt D Monami (Bel) 6-1 6-2	P Fendick bt D Graham 7-5 7-5				
C Lindqvist (Swe) bt P Tarskhi (Arg) 6-2 6-4	M De Swardt bt A Keller 6-2 5-7 7-5				
P Tarskhi (US) bt K Hebebrand (CZ) 6-2 6-4	S GRAF bt M De Swardt 5-7 6-0 7-5				
D Graham (US) bt C Cunningham (US) 6-2 7-6	S GRAF bt M Werdel 6-1 6-1				
M De Swardt (SA) bt L Gerson (GB) 6-4 6-3					
A Keller (US) bt K Kroupova (CZ) 6-3 6-4					
M Werdel (US) bt M Javer (GB) 6-2 4-6 6-0					
(2) S GRAF (Ger) bt N van Lottum (Fr) 6-1 6-0					



White woolly warrior: Bates feels the strain of his five-set journey to the fourth round

Bates changes punch line of the great British tennis joke

British tennis. Tee-hee. Losing Brits at Wimbledon. Giggle giggle.

British tennis players have become as weary a subject for jokes as mothers-in-law. It even affects the players. "My God, if I'm No. 1, it's pretty bad, really," the always-magnificent Jo Durie once remarked.

Now, for the first time since 1982, we have a man in the last 16 of the singles, and a nation rises to salute The Man in the White Woolly. "He's got all the talent, but somehow it doesn't come through in matches," David Lloyd once said of him. Tee-hee again.

British tennis has become so hoary a subject that no matter what you say about it, it always sounds like a joke. The idea that Bates is ranked 113 in the world is for some reason hilarious. This is unfair, but British tennis players must live with it.

Bates' career prize-money to the end of last year was \$607,545: a stat that ought to set a sneer or two. Tennis is a very tough world to survive in for 12 years and to be 113th takes a bit of doing. Perhaps Stuart Pearce is the 113th best footballer in the world. Nobody sneers at that.

SIMON BARNES

The problem is Wimbledon, of course. Britain has the world's most charismatic tennis tournament, so for a fortnight every year, everyone in Britain wonders why we do not have the world's most charismatic tennis players. To be a British tennis player is to live in the huge and pitch-black shadow of the Monster of SW19.

In this country, tennis is a minor sport. The problem is that Wimbledon is a major occasion. Britain expects a player to match, not appreciating that it is mildly remarkable to have a player ranked as high as 113. Anyone who thinks Britain is a serious tennis nation should watch American children playing tennis. That is seriously serious.

All British tennis players seem embarrassed at how small they seem beside the Sacred Monster. And all British tennis players look like the mildly embarrassed children of the vicar. Bates looks like a good-natured lad who has turned up to help out with the annual fête. Such a nice boy, a bit scruffy, a bit short on self-confidence, but a really nice boy.

Lord knows where his bit of magic has come from these past few days. Perhaps his recent falls of retirement has helped, and brought something of a go-for-broke aspect to his game. He seems to be held together with chewing gum and glue, elastic bandages here, sticky tape there: his body is falling apart. But not his game. He has been playing the best tennis of his life.

Being a Brit, he could not do it without a crisis of self-doubt. When he was two sets up, and 3-0 up in the third, and in real danger of becoming the only man to reach the last 16 without dropping a set, he had a dreadful attack of vertigo. He looked down: his head swam, his knees went wobbly, his fingers locked into the handholds, and he could move neither up nor down. He dropped the next two sets — but then suddenly everything was all right again. He saved a succession of break points, and then took the match in style.

Bates has managed to handle it all with charm and diffidence, plus a little bewilderment. "I'm not the sort of person who jumps for joy, jumps the net and kisses 20 women," he said. Nor is there danger of him throwing his woolly to the crowd.

FOR THE RECORD

ATHLETICS

US OLYMPIC TRIALS (New Orleans, Mon): 400m, 1 D. Fautsch (1:01.9), 2 J. Lewis (1:02.3), 3 O. Watts (1:02.3), 4 A. Vinton (1:02.3), 5 H. Reynolds (1:02.3), 6 D. Hall (1:02.3), 7 C. Johnson (1:02.3), 8 C. Johnson (1:02.3), 9 C. Johnson (1:02.3), 10 C. Johnson (1:02.3), 11 C. Johnson (1:02.3), 12 C. Johnson (1:02.3), 13 C. Johnson (1:02.3), 14 C. Johnson (1:02.3), 15 C. Johnson (1:02.3), 16 C. Johnson (1:02.3), 17 C. Johnson (1:02.3), 18 C. Johnson (1:02.3), 19 C. Johnson (1:02.3), 20 C. Johnson (1:02.3), 21 C. Johnson (1:02.3), 22 C. Johnson (1:02.3), 23 C. Johnson (1:02.3), 24 C. Johnson (1:02.3), 25 C. Johnson (1:02.3), 26 C. Johnson (1:02.3), 27 C. Johnson (1:02.3), 28 C. Johnson (1:02.3), 29 C. Johnson (1:02.3), 30 C. Johnson (1:02.3), 31 C. Johnson (1:02.3), 32 C. Johnson (1:02.3), 33 C. Johnson (1:02.3), 34 C. Johnson (1:02.3), 35 C. Johnson (1:02.3), 36 C. Johnson (1:02.3), 37 C. Johnson (1:02.3), 38 C. Johnson (1:02.3), 39 C. Johnson (1:02.3), 40 C. Johnson (1:02.3), 41 C. 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Hampshire captain involved in controversy over dismissal against touring side

Gower stands alone against Pakistanis

BY JOHN WOODCOCK

SOUTHAMPTON (second day of three: Pakistanis won toss): Hampshire, with eight second-innings wickets in hand, need 140 runs to avoid an innings defeat by the Pakistanis

THE Pakistanis are giving another of the first-class counties a lesson or two. Having scored almost at will against Hampshire on Saturday, they made them follow on yesterday, taking their last seven first-innings wickets for 34 runs and bowling them out for 162.

The only reasonably good news from an English point of view was the batting of Gower. Against the same attack as he will meet in the Test match at Old Trafford, starting on Thursday, he made 55 in Hampshire's first innings, and although he was out more cheaply in the second, he gave the Pakistanis no reason for thinking that England will not be a stronger side for his return. He alone played Mushtaq's wrist spin with any composure.

I was sufficiently encouraged to recall the facility Gower showed when scoring 152 and 173 not out in successive Test matches in Pakistan in 1983-4 at a time when Abdul Qadir, Mushtaq's mentor, was every bit as good as Mushtaq is now.

If his stance is slightly more open than it was then, he plays the ball as late as ever and remains a good scooper of the spin on the forward stroke.

Cochran, then, would have approved of Gower's play yesterday. Both technically and for the way he applied himself. He would have been more concerned about Smith's. Partly to give himself a chance to study the mysteries of Mushtaq from behind the arm, England's No. 4



Not out after all: Nicholas comes back to resume his innings after the umpires changed their mind over his dismissal

had dropped down the order but it did not avail him. He might have learned more from discussing the problem with Gower over a glass of something after play.

But what had set people talking earlier on was an incident just before lunch, involving Mark Nicholas, the Hampshire captain. When he was 18 he was given out, caught at short-leg standing just in front of square, off Mushtaq. Before making his decision, Ray Toldard (the Devonshire one), umpiring at

the bowler's end, checked with Ken Palmer, standing at square leg, that the ball had been carried. Nicholas, presumably of the opinion that it had not, persuaded the umpires to change their mind, to the understandable consternation of the Pakistanis and the mixed approval of the crowd.

Whether Nicholas thought he was out or not is neither here nor there. He must know that the game is unassailable unless the umpire's decision is accepted as being final. With the upbringing he

had, it would have been the first thing he was taught. As the Pakistanis argued the toss — there was never any question of their withdrawing their appeal — I thought for a moment that they would walk off.

It was exactly the sort of incident which we grandly say happens on the sub-continent but never in England, let alone in first-class cricket. For all that, the comments of the Pakistan manager, Khalid Mahmood, seemed a trifle rich: "Is this the sort of behav-

iour you are going to tolerate from your players?" he asked. "Never in my life have I seen anything like it."

He also said: "Nicholas disrupted it, and the umpires changed their minds. It was on his urging. Everyone likes to bat, especially if you are the Hampshire captain. He can bat four, five, six, seven times if he likes."

Nicholas's view was: "I was going, but the umpires stopped me. I'm disappointed that I've been involved in any form of controversy. The Pa-

kistan management and I are happy now that the game will be continued to be played in the right spirit."

To the sound of the great Harry Altham, the patron saint of Hampshire cricket, turning in his grave, Nicholas scored another 12 runs before being given out a second time — to a tumbling catch in the same position off the same bowler. It had been a bad business, and by way of a last lament, Pakistan bowled only 88 overs in six-and-three-quarters hours' cricket.

Batting collapse dents Sussex's chance of trophy

BY ALAN LEE, CRICKET CORRESPONDENT

WORCESTER (Worcestershire won toss): Worcestershire (41pts) beat Sussex by eight runs

THIS is the time of year when upwards of half the counties lose interest in the Sunday League. Worcestershire would effectively have been in this season's also-rans had they lost yesterday, which added to their ecstasy at a remarkable turnaround.

Sussex, lying third in the table after a run which has surprised everyone but themselves, evidently had the game in safe keeping when, in the 37th over, they needed only 15 runs with half their wickets standing. On Sundays, however, things are never quite what they seem.

Somehow, Sussex contrived to lose five men for six runs in 17 balls, the last of them accounting for a bewildered captain, Alan Wells, whose composed 64 had apparently been decisive. For Sussex, it was a devastating blow to what had become a genuine chance of a trophy. For Worcestershire, it kept the season alive.

Wells would not have been sorry that Curtis chose to bat, as Sussex have won most of their games chasing. Nor would he have been sorry to see the Worcestershire captain occupy the entire innings making 77, facing half the balls but scoring significantly fewer than half the runs. The big crowd was unamused and their mood was darkened by three run-outs, at least one of which could be laid at the door of the beleaguered Curtis. Easily the most influential was that of Hick, beaten by a fine throw from Lenham at long-off, having made his fifth Sunday fifty of the year with a fluency encouraging for England.

Hick had lifted a moribund early time, induced by a first spell of four overs for four runs from Stephenson, who generated a fizzing pace and beat Curtis with underlining frequency.

Leatherdale adopted Hick's role and busily made 29 from 30 balls but when he was taken at long-on off Salisbury, Worcestershire looked to Curtis to dominate the closing overs. This he was unable to do, hitting only two fours in all and just one in the last 24 overs.

Sussex lost Greenfield in the third over and Speight in the 11th, both caught at point playing strokes they will regret. But Hall, who has a restless stance and a violent flourish of the bat while the bowler is approaching, played with sound sense for more than half the innings and Wells was massively confident.

Although Tolley brought a flutter of hope to a subdued crowd by removing Lenham and Stephenson, a curious but effective innings from Moores restored Sussex's command.

Moores scored 24 out of a stand worth 42 in six overs. Sussex, who had needed a run a ball over the last third of the innings, were almost there when Moores was bowled on the back foot to Newport. North and Pigott then played shots which panicked the batsmen and the 39th over was a wicket maiden from Newport, leaving ten needed from the last, a bridge too far even for Wells.

□ Delhi: The former Indian foreign minister, Samarendra Kundu, has called on the government to cancel India's tour of South Africa in October following the Boipatong massacre. (AFP)

YESTERDAY'S SCOREBOARDS

Sunday League

Gloucestershire v Surrey

BRISTOL (Gloucestershire won toss): Surrey (41pts) beat Gloucestershire by 17 runs

D J Bicknell	44	D J Bicknell	44
D J Bicknell	44	D J Bicknell	44
D J Bicknell	44	D J Bicknell	44
D J Bicknell	44	D J Bicknell	44
D J Bicknell	44	D J Bicknell	44
D J Bicknell	44	D J Bicknell	44
D J Bicknell	44	D J Bicknell	44
D J Bicknell	44	D J Bicknell	44
D J Bicknell	44	D J Bicknell	44
D J Bicknell	44	D J Bicknell	44

Total (8 wickets, 40 overs): 206

J Belling, A J Murphy and J E Benjamin did not bat.

FALL OF WICKETS: 1-17, 2-22, 3-75, 4-136, 5-173, 6-200.

BOWLING: Bathington 7-0-24-0; Gerrard 8-0-25-2; Scott 7-0-4-1; Smith 5-0-36-1; Ball 4-0-15-0; Aldridge 4-0-47-1.

GLOUCESTERSHIRE

G D Hodgson c Fethallah b Murphy 1

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G D Hodgson c Fethallah b Murphy 1

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Middx v Somerset

LORD'S (Somerset won toss): Middlesex (41pts) beat Somerset by 42 runs

A J Hayes	54	A J Hayes	54
A J Hayes	54	A J Hayes	54
A J Hayes	54	A J Hayes	54
A J Hayes	54	A J Hayes	54
A J Hayes	54	A J Hayes	54
A J Hayes	54	A J Hayes	54
A J Hayes	54	A J Hayes	54
A J Hayes	54	A J Hayes	54
A J Hayes	54	A J Hayes	54
A J Hayes	54	A J Hayes	54

Total (4 wickets, 40 overs): 245

P A Nixon c Embury, D W Headley, N P Williams and A R Fraser did not bat.

FALL OF WICKETS: 1-68, 2-88, 3-155, 4-200.

BOWLING: Mallerder 1-0-19-0; Lefevre 8-0-25-2; Scott 7-0-4-1; Smith 5-0-36-1; Ball 4-0-15-0; Aldridge 4-0-47-1.

SOMERSET

A N Hayhurst c Roseberry b Headley 24

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A N Hayhurst c Roseberry b Headley 24

A N Hayhurst c Roseberry b Headley 24

Derbys v Leics

DERBY (Leicestershire won toss): Derbyshire (41pts) beat Leicestershire by five wickets

J J Whitaker	55	J J Whitaker	55
J J Whitaker	55	J J Whitaker	55
J J Whitaker	55	J J Whitaker	55
J J Whitaker	55	J J Whitaker	55
J J Whitaker	55	J J Whitaker	55
J J Whitaker	55	J J Whitaker	55
J J Whitaker	55	J J Whitaker	55
J J Whitaker	55	J J Whitaker	55
J J Whitaker	55	J J Whitaker	55
J J Whitaker	55	J J Whitaker	55

Total (5 wickets, 40 overs): 233

F

Martín makes the most of startling slip-up from Faldo

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MONDAY JUNE 29 1992

Bates thrives on burden of British expectancy

By Andrew Longmore
Tennis Correspondent

FOR once, in a long career spent carrying the banner for British tennis, Jeremy Bates can step on to the centre court at Wimbledon today free from the fear of failure. At the age of 30, he has more than fulfilled the expectations of the nation in becoming the first British player to reach the last 16 since Buster Mottram in 1982: defeat by the No. 9 seed, Guy Forget, would be a disappointment but not disgrace.

Not that Bates himself will view his greatest challenge in such cavalier manner. He spent an hour yesterday practising, shaking the lethargy from his body after his sapping five-set victory over Thierry Champion on Saturday. "I feel much better than I thought I would," he said, as he held court in the garden of his home a mile from the centre court.

Had he lost to Champion in the third round after leading by two sets and 3-0, his victory earlier in the week over the No. 7 seed, Michael Chang, and Javier Sánchez would have been overshadowed by just another gallant defeat. But Bates scraped through in the fifth set, proving that he is not as devoid of determination as his persis-

tent critics might think and justifying his decision earlier this year to concentrate fully on reviving his fading singles career.

"I decided that if I was going to play for three or four more years, I would need to be totally committed. I was my own worst enemy six or seven years ago. I used to get upset, but the difference is that I have a greater understanding of what I want from life. I just want to enjoy my tennis now," he said.

British success is such a rare event at Wimbledon that the traditional gentility of the centre court crowd is bound to be shed. Indeed, win or lose, by the end of the day Bates, who is playing his first singles match on centre court, will have some understanding of what Forget went through in the Davis Cup final in Lyons last year. The result might well depend on whether Bates thrives on the attention, as Forget did, or withers beneath it.

"The crowd really gave me a lift against Champion. Every time I got up for a changeover, they cheered. Normally, I am in it for myself, but if I can do it for my country it would be great as well," Bates said yesterday. It will also depend on the ferocity of the French left-hander's serve.

DETAILS

HEAD-TO-HEADS: Bates v Forget played 3. Forget won 2, Bates 1. Nov 1988: Wimbledon (synthetic). First round: Bates won, 6-7, 6-3, 11-9. Sept 1990: Queen's (grass). Davis Cup: Forget won, 2-6, 7-6, 6-4, 6-1. Feb 1992: Bayonne (indoor carpet). Davis Cup (dead rubber): Forget won, 6-2, 6-4.

TODAY'S WEATHER: Mostly dry, bright or sunny intervals. Wind south or southeast, light; sultry.

CENTRE COURT ORDER OF PLAY: Men's singles: G Forget (Fr) v M J Bates (GB). Women's singles: M Navratilova (US) v Y Sasuki (Indo). Men's singles: B Becker (Ger) v W Ferreira (SA).

Bates knows Forget's game well enough, as much through doubles as singles. He has already lost to the Frenchman in doubles here and has played him twice in the Davis Cup in the past 18 months in doubles and singles. His one victory came four years ago in the opening round of the Benson and Hedges tournament at Wimbledon, but he led by a set and 5-3 in the tie-break in the Davis Cup tie at Queen's two years ago.

"He has a big serve and the courts are getting quicker. We played against him in doubles and he served huge the whole match, but he's not a natural volleyer. I'll just give it everything I have."

Bates said. "I can't try any harder and I can't give it anything else and everybody knows that. Everybody is behind me."

Forget is aware of the task facing him. "I think maybe Bates is a better player now, so I'm going to have to be careful," he said. "The crowd will be behind him and it is never easy to play the home favourite in this country."

Bates, his faithful sweater washed and worn inside out, will open the programme at the start of the second week of the championships, preceding two centre-court regulars, Boris Becker and Martina Navratilova. The defending champions, Michael Stich and Steffi Graf, are relegated to court one for the day, along with Monica Seles, and the "standing room only signs" are sure to be out on court two long before the visits of John McEnroe, a potential quarter-final opponent for Bates, and Andre Agassi.

McEnroe will play Andrei Olhovskiy, who produced the shock of the first week in beating Jim Courier, the No. 1 seed, and Agassi meets another qualifier, Christian Saccani.

Simon Barnes, page 27
Complete results, pages 27 and 28



Basking in the glory: Bates holds court in the garden of his home, near the Wimbledon club, yesterday

Testing time for aspiring Olympians

Christie toppled as Regis surges to half-lap crown

By David Powell, Athletics Correspondent

JOHN Regis defeated Linford Christie for the first time this season when he won the Panasonic British Olympic 200 metres trial in Birmingham yesterday. Regis, the European champion, had to fight tooth and claw for a victory that reassured him he is on course for an Olympic athletics medal in Barcelona in August.

Regis came off the bend ahead, Christie got up to him as though he was going to pass, but the Belgrave Harrier resisted the challenge of the Thames Valley Harrier to win

in 20.27sec. Christie followed in 20.29. "I have been high for quite some time knowing at the trials that Linford was going to put me under pressure," Regis said. "But no body was going to come pass me today."

After winning an 800 metres silver medal at the world junior championships in 1988, Kevin McKay suffered three successive failures in attempts to secure places at senior international championships. There was no mistake yesterday as he timed his run to perfection to win the

1,500 metres easing down at the finish.

There can be no controversy over 1,500 metres selection this time, as there was for the world championships last year and the last Olympics, in 1988. Four years ago, Sebastian Coe was not selected to try for a third successive Olympic title and last year, Steve Cram was picked after finishing fourth in the trial while McKay, second, was left behind.

McKay's place is guaranteed as the trial winner and, in the absence of anyone behind him making a claim, Peter Elliott and Matthew Yates will get the other places, though they will be expected to prove their fitness after missing recent training. Elliott, aged 29, has said this will be his last Olympic 1,500 metres and McKay is ready to take up the baton. "I expect Matthew and I to dominate British 1,500 metres running until we bow out," he said.

There was no one to touch McKay yesterday. Tom Hanlon broke away early and led with 200 metres to go, at which point McKay sprang from the pack to pass Hanlon coming off the bend. He crossed the line in 3min 37.51sec, and the next 1,500 metres runner, Simon Fairbrother, was fourth. Hanlon, who will run the Olympic steeplechase, and Rob Denham, who will run the 5,000 metres in Barcelona, were second and third.

Hanlon will be joined in the steeplechase by Colin Walker and Tom Buckner, the brother of Jack, who on Saturday won the 5,000 metres trial.

Tom Buckner has improved by 16 seconds this season, his 8min 26.29sec yesterday giving him second place behind Walker (8:25.15). But Keith Cullen, aged 20, has improved even more than Buckner, by 20 seconds this season, with 8:31.72 for third yesterday.

O'Brien out of Games

New Orleans: Dan O'Brien, strongly favoured to win the decathlon at Barcelona, finished eleventh in the United States Olympics trials after scoring no points in the pole vault, the eighth event. He failed three times at the opening height he chose, 4.80 metres (15ft 9in).

Dave Johnson won with



Eased out: Christie in the 200 metres yesterday

which suggests he is tomorrow's man.

One of the most difficult decisions that the selectors faced when they met last night was whether to pick Brendan Reilly or Geoff Parsons to accompany Dalton Grant and Steve Smith in the high jump. Smith won the trial with a British junior record of 2.31 metres and Grant, though behind Parsons, is a proven performer on the big occasion.

The selectors have to

choose between Parsons, who cleared 2.25 metres yesterday but has not achieved the Olympic qualifying mark of 2.28 this year, or Reilly, who cleared only 2.20 yesterday but has a season's best of 2.30. The choice is also between the experience of Parsons, who has been to two Olympic Games, or Reilly, aged 19, who would benefit from the experience.

For Smith, the Olympics are not the single most important competition of the season. "My priorities are to win the world junior championship and reach the Olympic final," he said. But, first things first: the English schools championships are coming up and he wants to win there too. He has grown half an inch to 6ft 1in this year. Would he want to grow more to help him over the bar? "I don't want to be 6ft 4in," he said.

Results, page 29
Photograph, page 29

Follow one of the most exciting stages of the Tour de France with a close-up view from the support vehicles of one of the leading teams in cycling's greatest race... that is the prize in a special competition in *The Times* tomorrow

Gower's reformation passes the Gooch test

By Alan Lee, Cricket Correspondent

THIS time last year, David Gower was on the brink of retirement, having, in turn, driven those who run his country and county teams to exasperation. The question was not whether he would play Test cricket again but whether he would complete the season with Hampshire.

Everything has changed, not least the man himself. Gower, roused by need and circumstance as much as pride and passion, is this morning an England player once more, his career exhumed even as, with poignant irony, those of his two most enduring contemporaries and soulmates were laid to rest.

Almost lost amid the euphoria that greeted Gower's recall, for this week's third Test at Old Trafford, was the demise of Ian Botham and Allan Lamb. Both were dropped, the selectors pointedly declining to attribute Botham's omission to injury.

Ted Dexter, chairman of the panel, called him an "aging tiger" and he might equally have applied the phrase to Lamb. But if Botham's exit was inevitable, and is probably terminal, Lamb might be thought unlikely to go when he remains in rich form for his county and made an unbeaten century only three Tests ago. The news sent him to his bed, complaining of flu but, even at 38, do not write him off yet.

Effectively, Lamb has been sacrificed to prolong the investment in Graeme Hick. Hick's return of 284 runs from 15 Test innings will have some people fulminating over misplaced loyalty and it is a fact that Hick, even for his county, has lost that strutting confidence on which he thrived.

He has been demoted, the No. 3 spot going to a somewhat surprised Michael Ath-

erton, who had expected a longer and more demanding rehabilitation. Hick will now play as the nominal all-rounder, batting at six and purveying his off spin, which Worcestershire so neglect, in what will otherwise be a limited four-man attack.

DeFreitas is considered so important that he has been named despite the deterioration of his long-term groin injury. He has seen a specialist and had a cortisone injection but he must prove his fitness in a one-day game for Lancashire's second team today.

Malcolm's fitness is not in serious doubt but, if both are discounted, Pringle and Munton would then play, having apparently been retained on the interesting theory that bowlers of their height — 6ft 5in in each case — have been punished less than most at Old Trafford this year.

England's bowling is thin, alarmingly so, but the Gooch ethos has always been that you cannot win Test matches without putting a big score on the board. Hence, the emphasis is on strengthening the batting, bringing the beguiling prospect that, come Thursday, Manchester will belong to Gower.

Gooch's breakfast-time phone call to Gower was an ice-breaking exercise. As such, the captain carried it off

adroitly. "What are you doing up at this time of day?" he asked the man with whom he has shared six overseas tours yet claims, sadly, he knows no better than he did when they first played together 14 years ago.

What he does know is that they are very different people and it is to the general good that Gooch is now evidently prepared to accept and accommodate the fact, having ignored Gower for 11 Tests and publicly confessed that he felt more comfortable for his absence.

Perhaps both will acknowledge their own shortcomings in the affair. Gooch counts Gower as his greatest management failing and he should certainly have done more to head off the conflict which drove such a wedge into a long-standing friendship that they barely spoke for a year.

Gower, if he is honest, will admit there were times, on his faithful last tour of Australia, when his behaviour seemed deliberately perverse, and times since then when he has wallowed in self-pity.

Those days, thankfully, are gone. A settled home life and a forthcoming marriage have helped. So, paradoxically, has his abrupt dip in earnings and the sharp awareness that he has no guaranteed future outside the game. Suddenly, all things have not come so easy to him and, as he whimsically says, the mortgage and the bank manager can concentrate the mind wonderfully.

More than 700 runs this year, averaging 65, testifies to the stiffening of resolve and vindicates his return. While the nation celebrates, however, spare a thought for Mark Ramprakash, who finds himself usurped by both Gower and Atherton, despite scoring heavily and consistently.

ENGLAND TEAM

	Age	Tests
G A Gooch (Essex, capt)	38	96
A J Stewart (Surrey)	29	19
M A Atherton (Lancs)	29	18
R A Smith (Hants)	28	23
D J Gower (Hants)	36	114
G A Hick (Worce)	36	9
C C Lewis (North)	24	17
R C Russell (Glouce)	30	30
P A J DeFreitas (Lancs)	31	31
I D K Salisbury (Sussex)	22	1
D E Moxham (Derby)	0	0
T A Munton (Worce)	31	0
D R Pringle (Essex)	33	28

Nicholas upsets Pakistanis

By Our Sports Staff

MARK Nicholas, the Hampshire captain, was at the centre of a controversy yesterday when he apparently refused to walk when given out for a bat-pad catch and was then reinstated during the match with the Pakistanis at Southampton.

Khalid Mahmood, the Pakistan tour manager, accused Nicholas of influencing the umpires and said: "Of course my players are unhappy — there is not an iota of doubt about the catch. Is this the sort of behaviour you are going to tolerate from your players? I have never seen anything like that in my life before."

Nicholas had scored 18 when the incident occurred during Hampshire's first innings of 162, pushed forward to leg-spinner Mushtaq Ahmed and saw substitute field-

er Rashid Latif claim a spectacular diving catch at short leg.

As the Pakistanis gathered celebrating around the catcher, Nicholas stood his ground and only began to walk off when umpire Ray Tolchard raised his finger.

But Nicholas continued to remonstrate with both umpires as he made his way reluctantly across the square, and, after a conversation involving all three men, the batsman turned back to resume his innings.

The Pakistanis were incredulous, with Mushtaq throwing the ball down in disgust. But, to their credit, the Pakistan team — when informed by the umpires of the reason for their change of decision — quickly got on with the game. Umpires Tolchard and Ken Palmer admitted later

that their original decision had been a mistake, due to a misunderstanding in signalling between them. Tolchard had looked across to Palmer and raised his finger because he thought his colleague had confirmed the dismissal. But Palmer was unsighted as to whether the ball had carried and Tolchard felt he had to give the batsman the benefit of the doubt.

Nicholas said: "I was going, but the umpires stopped me. I'm disappointed that I've been involved in any form of controversy. The Pakistan management and I are happy now that the game will be continued to be played in the right spirit."

Report, page 28

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SPECIAL OFFER p5
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LIFE & TIMES

MONDAY JUNE 29 1992

EDUCATION p7

Should the
government
allocate
budgets?



Putting your brand on to the British

Imagine for a moment that you are Sherlock Holmes in the celebrated tale Conan Doyle did not get around to writing: *The Case of the Branded Family*.

What you have to decide, by studying the two following consumer profiles, is which family truly deserves the title of Mr and Mrs Average Briton.

The first family wake up to breakfast of Special K, spreading Stork margarine on their bread and sipping Red Mountain coffee. While the baby — wearing Ultra T Disposable nappies — tucks into Farley baby food, the other children play with Teenage Mutant Hero Turtles.

Having brushed their teeth with Crest, their usual snack is Monster Munch or Discos washed down with Sprite, and the favourite chocolate bar is a Bounty. The house is cleaned using Ajax and clothes are washed in Wisk. She dabs on Ysis. His chosen fragrance is Rapport.

The dog gets Chappie and the cat has Kit-e-Kat, but the tinned choice of the humans is also fishy — Princes salmon. If the evening meal is hot, then it has to be Lotus Chinese Food.

At the end of the day, with the Vauxhall Nova parked safely out front, evening drinks are Tennent's Lager and Martell 3 star. And if all that leaves them feeling a little jaded, Solpadeine is the remedy.

On the other side of the street, the second family have filled their weekly shopping basket with similar, but significantly different, items.

They enjoy Kellogg's Corn Flakes, use Flora margarine and drink Nescafé. Baby, in Pampers Disposable Nappies, is fed Heinz baby foods. These children are fascinated with Nintendo, crunch on Walkers crisps and take a break with Kii Kats.

In the cupboard are tins of Heinz baked beans, next to Dolmio pasta sauce, with Whiskas for the cat and Pedigree Chum for the dog. Dishes are scrubbed in Fairy Liquid and clothes are washed in Persil.

In the fridge are cans of Coca-Cola and Carlsberg Special Brew, though Bells Extra Special Whisky favoured, too. In the garage stands a Vauxhall Cavalier.

In the bathroom is Colgate toothpaste, Anadin tablets, Anais Anais perfume for her and Jazz by Yves Saint Laurent for him.

Elementary? You would need to know only a few of Britain's biggest brand names to realise that the second family are the personification of the British consumer. Their shopping trolley is filled with the leading brands in every retail sector.

As for the first household, their purchases are placed tenth in the same lists compiled in *Marketing* magazine's latest annual survey of Britain's biggest brand names.

Fascinating though these lists are in themselves, they also demand that we ask deeper questions. What is a brand? Is it simply a well-

Do you prefer Princes tinned salmon to Heinz tinned beans — and would your cat really choose Whiskas? Roy Greenslade reports on the power of the brand leaders

known product? Why are so many of us seduced by brand names? Do brands place us at the mercy of manufacturers and retailers, or do we still manage to keep them thinking by exercising idiosyncratic choice?

Shopping around for a definition of a brand is not as straightforward as standing in front of a supermarket shelf. Barry Cox, who describes himself as new business development director at the advertising agency Publicis, put it this way: "A brand is the summation of everything you come to understand about a product, the physical, the emotional, the rational and also the irrational. You build up a picture from impressions gained through, say, packaging and advertising. From these complex set of communications grow a set of values. Those values represent the brand."

As Mr Cox remarked, this was not a bad top-of-the-head definition for the middle of a balmy afternoon when his mind was on Wimbledon. Brands are a relatively modern phenomenon which came about with mass production. Manufacturers needed to guarantee to us consumers that their product was always the "same". This serves two purposes — ensuring that a product is not confused with a rival's and offering assurance of consistent quality.

The brand, therefore, was a substitute for the personal relationship which once existed between the little local manufacturer and the customer.

Now we can see the point of Mr Cox's explanation. Products exist but brands are all in the mind, as another expert, Paul Feldwick, has made clear. In a book titled *Understanding Brands*, he writes: "A brand has no absolute or objective existence... [it] is simply a collection of perceptions in the mind of the customer."

Mr Feldwick, the head of account planning at the agency BMP DDB

Needham, argues that brand names are essential in modern consumer society. Without them there would be anarchy in the market place because we could never be sure what we were buying and the manufacturer would never know what satisfied our needs.

Surely, though, manufacturers are robbing us of our free will, manipulating us into making regular purchases? Everyone I spoke to in the industry was at pains to deny this, though they would, wouldn't they? However, several quoted instances of consumer resistance. The classic example remains the decision by Coca-Cola to introduce "New Coke" to the world. Coke fans rebelled and the company was forced to go on making giant profits from its old brand.

Perhaps the best illustration of the power of brands is a blind tasting. People very often cannot tell one product from another, but that does not stop them buying the brand name. What they are buying is a guarantee, a fulfilled promise. How, then, do manufacturers and their advisers win, or keep, adherents to their brands?

Here we enter that familiar world of advertising jargon: image, USP (unique selling proposition), positioning, targeting, improving share, losing margin and so on ad infinitum. It is more helpful to look at some of the practical examples from the *Marketing* survey, carried out on its behalf by Nielsen, which charts the changes over the past year.

The first message is that the big brands tend to stay around. There is incredible stability because people go on for years buying the same brands.

That trend highlights just how spectacular an entrance into the top 50 grocery brands has been made by Muller Yoghurt, which was launched in 1988 and last year showed a 81 per cent growth in its market.

Muller's managing director, Ken Wood, says his firm set out to create a new brand, introducing an innovation — two-compartment pot to separate the yoghurt from the fruit — and giving the customer a fifth more in content. Backed by a relatively high £3 million in advertising last year, the gamble paid off. A new brand was born and now there are seven "pretenders" in the field, too.

It might be imagined that advertising is always the key expense, but Mr Wood thinks it only part of

the armoury. The experience in another sector, fragrances, seems to support his view. The top ten fragrance brands cut their spending by two thirds last year.

Even so, brand loyalty kept Anais Anais in the number one female fragrance spot. Why does this product remain so popular? "It's non-threatening, sentimental, romantic and feminine," says Di Canady of Publicis, which handles its advertising. She emphasises the importance of the packaging, a factor everyone stresses as being of crucial importance.

Further down the fragrance lists, there are signs of change. Estée Lauder's White Linen and L'Oréal's Vanderbilt went out to be replaced by Giorgio and Ysis.

And in the men's chart, Brut has finally fallen out of favour though Old Spice, outspending all its rivals on advertising, managed to reach number five.

Sales of the top fragrances reach about £20 million a year, but the sweeter smell of sales success is pet food, on which we spend more than £1 billion.

The battle of the feline brands is between Whiskas, Felix and Arthur's, previously known as Kantomeat. This is a case of the real consumer being prey to the wishes of an owner.

More interesting than tins for pets are tins for humans. The canned foods chart, as *Marketing* points out, reads like a shopping list of the 1950s.

Heinz baked beans and Heinz soups head a list of tinned meat and fish, and Del Monte canned fruit. There are class factors at work here: it seems that the man from Del Monte may say yes, but he does not say "okay, yah".

Canned foods remain a working class staple and, explains Clare Sambrook of *Marketing*, at the poorer end of the market people cannot afford to make a "mistake" by trying new lines.

Once again, that relationship between consumer and manufacturer is at work. Perhaps there is some truth in the observation by one of modern society's greatest critics, Ivan Illich, who said that consumerism inevitably produces two kinds of slaves: the prisoners of addiction and the prisoners of envy.

Understanding Brands, ed. John Cowley (Kogan Page, 1991)



'A brand has no absolute or objective existence... it is simply a collection of perceptions in the mind of the customer'

A brief history of time for the Eurocrat

There was something in the reporting of Gillian Shepherd's head-on EC concession over working hours which reminded me irresistibly of other negotiations, long ago. The minister herself was circumspect in explaining her triumph, but her press allies cried "victory!" and "a major triumph over the Euro lawmakers!". Then there were mutterings from the Institute of Directors about it not being such a good deal after all, thin end of the wedge, won at a high price, etc.

What it all reminded me of was school: small knots of triumphant 14-year-olds, returning from the headmistress' study with their victories. "We can walk into Turnbridge Wells in twos, not threes, and we persuaded her that we don't have to wear school hats because of Louella's allergy, and we've got permission to watch *The Man from U.N.C.L.E.*" they would crow, and the rest of us would try to prove that they had only won these valuable concessions at some dreadful price like agreeing to wear 40 denim tighties with seams. Who says education is not a full preparation for life? Clearly in the years to come there will be many a stimulating session of arguing ourselves out of compulsory Eurothings, and Britain will need me and Louella. Oh yes.

But the whole subject was wonderful saloon-bar stuff. Well, how many hours a week do you work? Do you get a minimum 11 hours rest ("Hah! Rest cry the working mothers, in chorus) between shifts, and 35 hours uninterrupted sleep-ends? Do you want them? See, everyone has an opinion, and nobody much agrees. A perfect Eurosubject.

For a start, think about 48 hours, the minimum which Britain was afraid of being bound to. It represents 9 to 5, six days a week. Or perhaps 8 to 6 every weekday, with a four o'clock finish on Fridays. It gets nowhere near City workaholic's 7.30 to 9pm, nor to the life of a publican with the new extended hours or a mother's help expected to be available for babysitting at night and who often runs through 48 hours by Wednesday lunchtime. On the other hand, since we have now agreed to maximum eight-hour night shifts, anyone aiming at a 48-hour week would have to do six nights on the trot, plus travel. Not much of a life, really. Whereas the City chap above, and perhaps even the publican, might say their lives were fine.

Which is, in the end, why working hours are always going to be impervious to regulation. If contracts were only clear, and jobs

WORKING LIFE

Libby Purves argues

that a week is always as long as you make it



plentiful enough to permit escape, we would probably all throw in the Eurosponge and reject any regulation at all. Because lives evolve and priorities shift, and what is outrageously inhumane for a struggling parent might be just perfect for a keen 22-year-old still enjoying that early love affair with learning a trade. Or for a singleminded careerist with few friends. Or, indeed, for a tigerish post-meno-

pausal woman hurling herself back into the workplace with terrifying Thatcherese zest.

I am happy to report that the EC recommendations make most of my past life retrospectively illegal. At school, if you count hockey practice as work (and I most certainly did) I worked a clear 56-hour week. On local radio I worked seven days a week because the weekend was the only time they would let me stand around in damp fields with a microphone saying "Well, here I am at the site of today's re-enactment of the battle of Marston Moor, and here is Sid Anorak with his genuine leatherem ale-mug, to tell us all about it. Sid, what's that exactly that you've got on your head?" Well, no, I wouldn't do it now if I could help it but at that age I didn't want my statutory 35 hour weekly rest period because all I would have done was mooch around waiting for Monday. When they did clamp down on the hours I ended up so desperate I joined a badminton club, over which we shall draw a veil. As Miss Austen says, let other pens dwell on guilt and misery; nor would I poach upon Mr Diamond and Ms Truss. Work alone kept me out of mischief in the single life.

But the most bizarre shifts of all occurred in an experimental period

in the early 1970s when producers on the Radio 4 *Today* programme worked a week for it — a week consisting of two 22-hour shifts. You started on, say, Monday at noon, and worked clear through to 10.00 the next morning. Then you went to bed for a day or so, and came back on Thursday at noon to do the same trick. Officially you could go and lie down on a BBC bed for a while in the small hours, but if America or the Far East was busy, you didn't. And anyway, sometimes on the way to your bed-hour you fell into bad company and played a hand of poker with the commissionaires.

This had the advantage that there were no unwieldy handover sessions from day to a night shift, with consequent losing of tapes and passing of bucks. It also quite suited both rootless trainees like me, and foxxy old staggers who were combining the job with running a farm or a secret PR agency or several wivelets. It had the disadvantage that after a bit, everyone went rather odd.

They had to give it up in the end. But I am not sorry to have done it. What is life about, if not trying all sorts of weird ways in which to lead it? I think Louella and I will have to go into Europe and sort their ideas out a bit.

THE TOP SIX BRANDS 1991

- 1 Coca-Cola
- 2 Persil
- 3 Ariel
- 4 Nescafé
- 5 Whiskas cat food
- 6 Walkers Crisps

TOP SIX CANNED FOODS 1991

- 1 Heinz baked beans
- 2 Heinz RTS soups
- 3 John West salmon
- 4 Princes corned beef
- 5 Del Monte canned fruit
- 6 Ambrosia rice pudding

Coverage: grocers

TOP SIX FRAGRANCES OF 1991

- 1 Anais Anais
- 2 Opium
- 3 Lolou
- 4 Chanel No 5
- 5 Paris
- 6 Giorgio

TOP SIX PET FOODS 1991

- 1 Whiskas cat food
- 2 Pedigree chum dog food
- 3 Arthur's cat food
- 4 Felix
- 5 Prime
- 6 Pal

Coverage: grocers. Source: Nielsen

Tomorrow: Radio 3's Nicholas Kenyon

THE MOST CONTROVERSIAL NOVEL OF THE YEAR

English Music



by **Peter Ackroyd**

"a brilliant book... a virtuoso performance"

Victoria Glendinning
The Times



"a powerful literary imagination working at full stretch"

Patrick McGrath
The Daily Telegraph

BERLIN BALLET: The Berlin Ballet, under the direction of Peter von Magnus, is presenting a production of *Swan Lake* at the Royal Opera House, London. The production is a collaboration between the Berlin Ballet and the Royal Opera House, and is a masterpiece of choreography and music. The production is a collaboration between the Berlin Ballet and the Royal Opera House, and is a masterpiece of choreography and music.

TODAY'S EVENTS

A daily guide to arts and entertainment compiled by Karl Knight

PLATFORM 2: The festival of new music, under the direction of David Gifford, is presenting a production of *Swan Lake* at the Royal Opera House, London. The production is a collaboration between the Berlin Ballet and the Royal Opera House, and is a masterpiece of choreography and music.

ORPHEUS IN THE UNDERWORLD: The Royal Opera House is presenting a production of *Orpheus in the Underworld* at the Royal Opera House, London. The production is a collaboration between the Berlin Ballet and the Royal Opera House, and is a masterpiece of choreography and music.

RECOVERING POMPEII: The Royal Opera House is presenting a production of *Recovering Pompeii* at the Royal Opera House, London. The production is a collaboration between the Berlin Ballet and the Royal Opera House, and is a masterpiece of choreography and music.

THEATRE GUIDE

Jeremy Kingston's assessment of theatre going in London

House full, returns only

Seats at all prices

In Tennessee Williams's play on the

National (Lyttelton), South Bank, SE1

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Speed up your Mahler, maestro

Gilbert Kaplan, financial expert turned conductor, believes that a famous Adagietto has been misread. Richard Morrison reports

There are, of course, at least four Gilbert E. Kaplans. First comes Kaplan the financial wizard: multi-millionaire founder, chairman and editor-in-chief of the magazine *Institutional Investor*.

Then there is Kaplan the conductor, who has suddenly widened his repertoire. For ten years he pursued a grand obsession, conducting only Mahler's Second Symphony. He even recorded it, selling 125,000 discs. Today, however, he presents a new Mahler interpretation to the world. This time it is not a whole symphony, just the celebrated Adagietto from the Fifth.

Kaplan the musicologist is the person who forced Kaplan the conductor to break his beautiful monogamy. He formed a curious conviction that every other conductor in the world had got the Adagietto wrong. They were performing it much too slowly.

Kaplan the art-collector and Margritte expert came into play at this point. The cover of his new recording of the Adagietto is sensuously graced with the enormous rose of Margritte's *Le temps des fleurs*.

Which brings us back to Kaplan the financial wizard, a man rich enough to ensure that a pet project is carried out with lavish attention to quality and detail. For today his Kaplan Foundation is publishing a limited edition, 1,500 copies only, of *Adagietto* — a sumptuously printed facsimile of Mahler's autograph score and Alma Mahler's copy of it. It is accompanied by a compact disc of Kaplan's performance with the London Symphony Orchestra.

And by a 112-page study that documents just about every known fact about the Adagietto, from its genesis to a discography (around 70 recordings to date) and even a list of the 20 ballets set to its music.

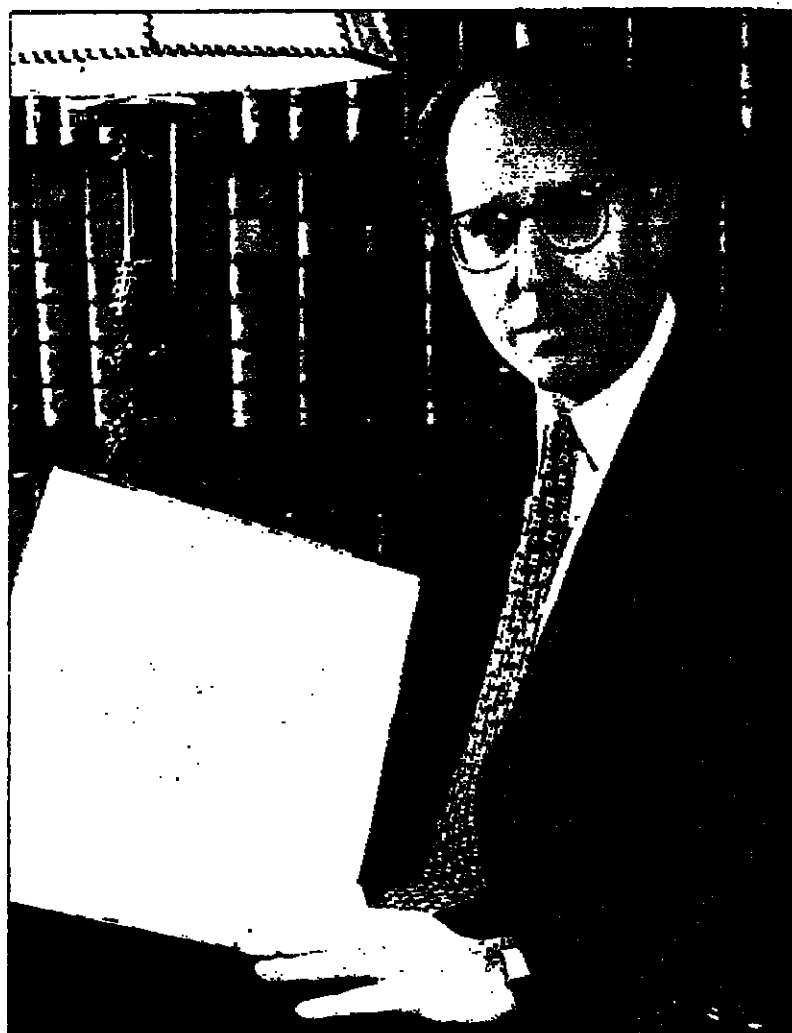
If lavish presentation and painstaking research could prove a point, Kaplan would be home and dry. But does his argument stand up? After all, he is not questioning a few errant notes; he is accusing nearly every distinguished maestro since the war of following a "false tradition".

Kaplan maintains that Mahler and his earliest disciples, Bruno Walter and Wilhelm Mengelberg, used to canter through the Adagietto in around eight minutes. On his own recording, Kaplan manages an Olympian 7'57". By contrast, the modern maestro dawdles indulgently.

Recordings by Tennstedt, Abbado, Maazel and Karajan take around 12 minutes. Haitink's version lasts an eternal 14. And in an emotion-charged live performance Bernstein had the capacity to elongate the movement well past a quarter of an hour. In other words, maintains Kaplan, some of them are taking the music at virtually half its "proper" speed. These are serious charges.

The question is will anybody take them seriously? What Mahler meant by the inscription "schön langsam" ("slowly") is really the nub of the matter. "I came across the discovery by Mengelberg that Mahler had used the Adagietto as a love letter to Alma," maintains Kaplan. To Kaplan, this implies that the music should flow with passion and spirit, not drift into stagnant etherality.

Kaplan identifies several reasons for the false feyness. Luchino Visconti's film of *Death in Venice* linked the Adagietto with a feeling of supine decay and death — in fact, Mahler's own death. Since Visconti modelled his Aschenbach figure on the composer, Bernstein also contributed to the funeral atmosphere, by conducting



Man of parts: Kaplan with Mahler's autograph score of the Adagietto

the Adagietto at the requiem of Robert Kennedy. Other conductors may have felt that the Adagietto was simply too short to balance its mighty companion movements, if played at the pace Mahler seems to have intended.

For Kaplan, the matter is an ethical issue. He wants other conductors to cease their wilful distortions of Mahler's intentions, and has deliberately chosen a hugely expensive and high-profile way of making his point. "I guessed that, by bringing out the facsimile, the recording and the monograph all together, I would make a bigger impact than by writing an article in some scholarly journal," he

says, with delicate understatement. Other conductors can respond — if they respond at all to Kaplan's challenge — by pointing out that Mahler himself, when conducting other composers' music (especially Beethoven and Schumann), tampered extensively if he felt it did not sound right. Kaplan's own recording certainly has an urgent air about it: whether that captures the essence of a love letter is ultimately a matter of taste. Either way, this remarkable amateur has once more given music's haughty professionals something to chew over.

Adagietto is distributed in Britain by Faber Music, priced £65

THEATRE

Not even a ghost of hope in the ghetto

The Dybbuk
New End, Hampstead



Play within a play: Philippe Smolikowski and Kate Margam

NEXT month the RSC is staging what will presumably be a faithful translation of Solomon Anski's tale of the Hassidic scholar whose soul sets up a squat in the girl he was denied when he was alive. But by some bizarre coincidence, or inscrutable act of the theatrical gods, two other versions of *The Dybbuk* have already been seen in London this year, neither of them straightforward. January gave us Bruce Myers's adaptation, a two-handed in which a Jewish husband and wife brightened a glum ritual supper by performing Anski for each other. Now June brings a still more intricate piece from the writer and director Julia Pascal: a play within a play within a ruminative monologue.

On comes a troubled-looking Kate Margam as Judith, a modern English Jew not unlike Pascal herself. She talks of journeying through a Germany

almost empty of living kin ("Hitler won't"), full of kin cut off in their prime, ghosts or "dybbuks" asking her to give voice to their pain. This she proceeds to do by transforming herself and four other actors into ghetto dwellers, subsisting on what seem to be slices of rat in the catacombs of some unnamed city, probably Warsaw or Vilnius in 1942.

All are desperate and most as confused about their identity as Judith herself: "I'm only half-Jewish, my mother was pure Aryan." What follows is presumably meant to remind them, and us, that they have tales, traditions, beliefs in common. At any rate, they launch into Pascal's rough-theatre version of the most famous and resonant of all Yiddish plays: which is, of course, Anski's *Dybbuk*.

This transition comes a bit late. Pascal's production would have more dramatic impact if it established the miseries of the ghettos more succinctly and the point and purpose of *The Dybbuk* itself more fully. As it is, the ladders conveniently furnishing the

cellar are pressed into service as the wings of the Angel of Death, the sides of the scholar's coffin, the bridal canopy prepared for the girl her father has given to another man. Another member of Pascal's mostly excellent cast, Thomas Kampe, then twists his naked torso into a writhing dybbuk, and in the process of being exorcised when the Nazis arrive.

There is no upbeat ending, as there is in Anski. The posthumous reconciliation between the scholar and his love is missing. Instead, the offstage shouts and crackle of gunfire intensify, and, in the evening's most striking image, the actors walk again and again into the bullets, their faces variously scared, glazed, puzzled, dignified and defiant. Anski might have objected, since his play was meant to suggest that, however low we plunge, there is always hope of spiritual rebirth: "Within the fall the power lies to rise again." But then Anski wrote the play in 1917, before Hitler and the Holocaust.

BENEDICT NIGHTINGALE

THEATRE

Familiar strains of war

Darkness in Hearts
The New Grove

The writing is earnest, sincere and impassioned. What it lacks is the ability to characterise the onstage families as individuals: they remain mouthpieces of attitudes in the style of a dramatised schools' broadcast, the over-explanatory peppered with emotional clichés. The final litany of anecdotes, with the cast (three men, three women) now seen as soldiers immobile in a statu-

esque group, is powerful. The stories of atrocities emphasise the self-destructive nature of the war: shock, guilt, psychosomatic dumbness, suicide. The stylised presentation of fact is more telling than the fictional love affair and its attendant tensions.

Gary Drabwell's production is happiest in non-realistic set-pieces accompanied, with astonishing success, by

snatches of popular classics. The cast's patriotic sloganeering to the Soldiers' Chorus from *Faust*, the sensationalist headlines from the partisan press gradually jumbled into frenzied shouts to *Peor Cynit*, and the eruption of violence to the strains of Prokofiev, from swagging jeans to fisticuffs in firearms and a stage full of corpses — these passages are almost choreographically filmed and paced. More than soap opera characters in domestic drama, they succeed in depicting the bewildering cruelty and futility of the war — and the apparent absence of any solution.

MARTIN HOYLE

ENTERTAINMENTS

ART GALLERIES

LEVEE GALLERY
100 Abchurch Lane, London EC4N 3DF
18 June-10 July, 10am-6pm

Splish & Splash, 10am-6pm
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OPERAS & BALLET

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Stepping out for the birds

Simon Barnes

reports on the campaign against the bureaucratic lunacy threatening sensitive wildlife habitats in Spain

The European Community is not Orwellian or even Kafkaesque. It is pure Jonathan Swift. Let us start with a small nonsense and a small bird: we shall move on to a colossal nonsense and an absolutely gigantic bird.

In central Spain, there are areas of poor soil and little rain, collectively known as the Spanish Steppes. They have been shaped by traditional agriculture: methods refined over the years for sustained use of a profoundly unpromising place.

The area around the small town of Belchite is particularly tough. It supports little more than light grazing of sheep. The area is so parched the bare soil is covered in lichen and looks more like rock than good earth. It is home to a weird little bird called Dupon's lark, a sneaky character that creeps about in the scrub.

The EC came up with a scheme to help agriculture in the area. It would pay farmers to plough up the scrub and plant wheat. It would pay them 20,000 pesetas per hectare to do so. So far so good, but there are some points this scheme failed to take into consideration:

● The EC already has a surplus of wheat.

● You cannot grow commercially viable wheat in Belchite.

● A natural habitat was being destroyed by the EC in direct contravention of its own laws. The EC is bound by its own Wild Bird Directive, under which certain birds are protected. It is not only the birds themselves that are protected by law: it is also the places where they live.

The local farmers are not foolish enough to turn down free money. Naturally, they have ploughed up a good deal of land around Belchite. However, they have not wasted any time harvesting: there is nothing out there worth harvesting. In short, local farmers have been paid to mess about: paid to destroy.

Other steppes are suitable for cereal growing and these too have their characteristic birds. Now these areas are under a massive programme of intensification. The word here is irrigation: making the dry areas wet, lush and productive.

Again there are objections to this scheme:

● Large-scale irrigation is not sustainable as a long-term policy — the schemes will run out of water.

● Once more a habitat for birds is being destroyed, again in contravention of EC rules.

● The Spanish farmers themselves are opposed to the schemes.

The matter is about to become an international cause célèbre. Conservation organisations are girding their loins to take on Brussels, for this is now a test case. This week the International Council for Bird Preservation (ICBP) and the Sociedad Española de Ornitología (SEO) launch the Spanish Steppes Cam-



In the front line: Spain's magnificent flocks of great bustards will be driven out unless conservationists and farmers can resist EC plans

paign, backed by most of the bird conservation bodies of Europe, including the Royal Society for the Protection of Birds (RSPB).

Such campaigns need a striking and spectacular bird to act as a rallying point. There is no question about the flagship species of this campaign: it is as outrageous and as unforgettable as its name: the great bustard.

Great bustards were once British birds, but they went extinct in the 19th century. Shooting and, ominously, changes in farming practices did for them here.

They are monsters, the size of turkeys, and they gather in flocks of up to 100. Their flight is strong and straight, with that incongruous grace that characterises oversized things such as carhorses and elephants. There are some great bustards in Turkey and in eastern Europe but Spain, with an estimated 10,000 birds, has 65 per cent of the world population.

The other important birds of the steppes are little bustards and black-bellied and pin-tailed sand-grouse. Not just to bird-watchers, but to anybody with eyes and ears, the steppes are special places.

The steppes are a man-made environment. For generations farmers have alternated cereal-growing, grazing and fallow. The bustards and

the sand-grouse have been ignored, and they have co-existed quite happily with the farmers. Now everything is changing: bustard populations are threatened by irrigation because they are dry-country birds, eating grain and insects which would not exist in a wet habitat.

But this is not a traditional conservation versus agriculture story. The farmers are angry at the intensification that is being forced upon them. They have been told by the central Spanish government that massive irrigation schemes are "in the national interest". They are required to take out large bank loans to pay a share of the irrigation costs. The theory is that new, higher yields will make paying back simple. Farmers — in every society, an independent-minded bunch — are not convinced.

Irrigation schemes have already drastically lowered the water table in some areas. A few years ago, around Madrid, farmers could plough down to the water table. Now it is 500 ft below ground.

Manuel Martín Parraero, the president of ASAJA, an acronym which translates as Agrarian Association of Young Farmers, says: "Because of the hard conditions, competitive agriculture in the European markets is almost impossible for

us. We have no long-term chance of increasing production. What we do have here are environmentally good conditions. Environmentally friendly farming should be the solution."

There is a mechanism that would allow farmers to continue, or return to, traditional farming, namely to designate the places they farm as environmentally sensitive areas, or ESAs. Under this arrangement, farmers can be recompensed if they choose to farm in a prescribed manner: one that is less profitable but environmentally friendly.

The heart of the Spanish Steppes Campaign is to have the crucial areas of the steppes declared ESAs. "The traditional way of farming maintains the productivity of the land. When they try to force intensification by irrigation, this system is broken," Carlos Martín, the conservation officer of SEO, says. "The land loses its economic as well as its environmental value. If you irrigate and fertilise and use pesticides, you will have good crops for three or four years. But in a few years the entire area will be useless. It is not economic sense for the farmers. That is why most of them support us."

"I want to make it clear that we are not pointing the finger at Spain: we are not saying that Spain is the poor man of Europe. In environmental terms," Mike Parr, the development

officer at ICBP, says. "In fact, in some important aspects of conservation, Britain's record is far worse."

The campaign will involve lobbying the Spanish government, persuading them to designate five main areas as ESAs, further lobbying in Brussels and spreading information on the concept of ESAs to Spanish farmers. British conservationists will encourage the British government to support the steppes' cause during its presidency of the EC.

"This is a test case for the European Community," Mr Parr says. "It is an issue that asks crucial questions about the twin objectives of development and conservation. If the EC can get it right here, then we can get it right elsewhere in Europe too."

"Until now, we knew the great bustards lived here, but we didn't pay any attention to each other," Señor Martín says. "Now we realise the importance of these big birds, and we have a chance to show them to the rest of the people. It is not just a question of free money — we also have a chance to do something for society."

In the field behind him, a lone great bustard paced pompously through the corn, a gloriously whiskered male, an avian heavyweight in white and coppery-gold — and an ancient part of an ancient agricultural landscape.

Title holders at the palace

The Queen has invited 2,000 sports champions of the past 40 years to celebrate their achievements in style

Only a decidedly bad sport would question the selection of some of the 2,000 British world champions invited to a special Buckingham Palace garden party on July 9 to celebrate 40 years of sporting attainments since the Queen's accession to the throne. So here goes.

Geoff Boycott? Has he not been developing world-class skills in some arcane solo sport with world championship status? And Stanley Matthews? Surely he was not still playing in 1966?

Obviously there can be no quibbling with the inclusion of Brian Coldough, winner of the roller-skating world artistic dance championships in 1962, nor with that of Derek Patterson, a member of the world junior bridge championship-winning team in 1989. But Sir Robert Reid, the chairman of British Rail? And Jacques Delors?

Well, July 9 will be day nine of Britain's presidency of the EC, hence the invitation to M. Delors; and Sir Robert is a former winner of the one-armed golf championships. Stanley Matthews may not strictly have been a world champion, but he was undisputedly the best of his day. As for "Sir" Geoffrey Boycott, never let it be forgotten that he was a member of the 1977 and 1981 cricket teams that won the Ashes.

As will be evident, there is ample scope here for liberal selector and armchair arbiter alike. In this respect the party, far and away the biggest assembly of champions held in Britain, is right in the mainstream of great sporting occasions, contentious but Corinthian. However, someone had to be chairman of the selectors, and the job fell to Peter Lawson, the general secretary of the Central Council of Physical Recreation (CCPR), a voluntary and independent umbrella group for a membership of nearly 200 sporting organisations.

"Originally I thought in terms of a reception," Mr Lawson explains, "inviting the Queen (who is patron of the CCPR) and Prince Philip (its president), and all the men and women with world championship status, or with gold medals at Olympic or Commonwealth games. Having floated this notion, I received a summons to the Palace from Sir Robert Fellowes, the Queen's private secretary, who bowed me over by saying that the Queen and Prince Philip wanted to take the idea even further and hold a garden party. Personally, I

would have been more than happy with the Albert Hall, but a garden party at Buckingham Palace was beyond my wildest expectations."

There will be another commemoration of the 40 years' worth of worldbeatness, in the form of a book, *Champions of the Queen*, to be published by the Council in July. This takes us year by year through the sporting attainments of the reign. In 1966, for example, the *annus mirabilis* of national soccer, we also had two more, less well sung champion combinations: in athletics the cross-country team, and in ice skating the dance pair of Bernard Ford and Diane Towler. Then there was the indoor bowls champion, David Bryant, who crops up a full 20 years later as one half of the indoor champion pair; in boxing there was the flyweight champion Walter McGowan; in cycling the women's pursuit champion Beryl Burton; in motor cycling Mike Hailwood, at both 350 and 250cc, and in snooker the durable John Pullman.



From the class of 66: boxer Walter McGowan

The occasion comes, in Mr Lawson's view, at a particularly propitious moment. "We have a very good standing in many of the sports," he says. "But, even more important, we have as good a relationship with government as at any time, with a representative of our interests at cabinet level."

Mr Lawson's next goal is to start a World Champions' Sports Club, one purpose of which would be to enable young competitors to benefit from the experiences of past champions. "So many of them have such extraordinary stories to tell," he says.

But first there is the July 9 fixture. If it goes off with deceptive ease this will be because, like most sporting pinnacles, it is the result of infinite preparation.

ALAN FRANKS

A voice from the wilderness

When America votes, Estelle DeBates is confident she will be a loser

This year's American presidential race may be wide open but one party confidently expects a drubbing in November's poll. The Socialist Workers' Party has already chosen its candidates, but the woman who should have her eyes on Dan Quayle's job has no doubt about her chances.

Estelle DeBates, aged 32, the party's vice-presidential candidate, says: "President Bush will win again, though he'll be given a tough time by Ross Perot. We're not in the election for votes because social forces would have to be so different for us to win. The aims of The Communist Manifesto won't be realised overnight. But we want to reach out to the small layer of people who are receptive to our ideas and build the leadership of the working class."

Ms DeBates has been in Britain to spread the socialist message and to support the workers' struggle. First port of call in London was an early morning appointment on a picket line outside Stratford Magistrates Court to support two black men accused of beating up two policemen. Somewhat quixotically, she accuses the British police of being given a free rein to terrorise workers.

Later, Ms DeBates addressed students at Queen Mary and Westfield College in the East End. Seated, and reading from a neat set of



Spreading the message in London: Estelle DeBates says "Civilised discussion is the best way and I try to listen"

notes, she seemed a different breed from the unreconstructed members of her party's British namesake, who took exception to her views on the former Soviet Union. She had said that for all its faults it was a "deformed" one. To the British faction it was a regime run by bloated bureaucrats who oppressed workers in a system of state capitalism.

Ms DeBates is, indeed, an unlikely revolutionary. Although she peppers her conversation with casual references to "Fidel" in Havana she spells out her agenda in the soothing tones of an

assured school teacher. "I have confidence in my ideas and I don't think shouting helps," she says. "Civilised discussion is the best way and I always try to listen. There are people on the left who are aggressive and frustrated. I'm not and I have total confidence that things will change. I am very patient and know there are big battles coming that will involve tens of thousands of American workers."

Her struggle is hardly helped by America's political system which excludes fringe parties. She says: "The election rules are prohibitive and undemocratic. We have to collect

thousands of signatures in every state just to be allowed on the ballot paper. In 1988 we only made the ballot in 17 states."

Life has become a little easier for the party since a judge awarded them \$264,000 (£130,000) in 1986 to compensate for FBI harassment. But Ms DeBates is sure she is still being watched. "Legally they have no right to hound me but it is well known that they keep tabs on people. I am sure I am considered a threat to national security," she says.

In her campaign leaflet Ms DeBates claims her eight

years' experience in the clothes industry as her qualification for leadership. Although she dropped out from the University of Minnesota, she could presumably have secured a better job than as a seamstress. But she took the job for "political reasons". She says: "I didn't let on about my education. I wanted to be part of the industrial working class to see what is happening. Socialists who don't take part in discussions with workers think they are beaten down and see the future as bleak. I don't feel that way at all."

She used to support the Democrats, but became disil-

lusioned. "I grew up on a farm in South Dakota and my family felt the full force of the depression in the 1930s. This roused my interest in politics and I went to work for the Democrats at the age of 19 as they were meant to be the party for workers. I soon quit. They just paid lip service to the thousands of people losing their jobs."

Ronald Reagan's meddling in Central America and the Nicaraguan revolution spurred Ms DeBates into the socialist cause. She still visits the region and has great affection for Cuba. "I may not agree with all that Fidel does but I have tremendous respect for him and I think he is a popular leader. He has led an internationalist cause. Sending Cuban troops to Angola was a fine example of that."

These sentiments contrast with her contempt for America's leaders. "The United States is the epitome of what is wrong with the world. There is a deep social and political crisis and Ross Perot's success stems from the failure of the two parties to solve these problems."

Not surprisingly, she vehemently opposed the war in the Gulf, though this was not out of sympathy for Saddam Hussein. "The Gulf war was the opening of World War Three and revealed the complete crisis of world capitalism. We put ourselves in the shoes of workers in Iraq and the war was certainly not in their interest. Saddam's invasion of Kuwait was just for his interest, but American imperialism made things worse. The US will continue to use its unparalleled military might against anyone that threatens its interests."

NICHOLAS WATT



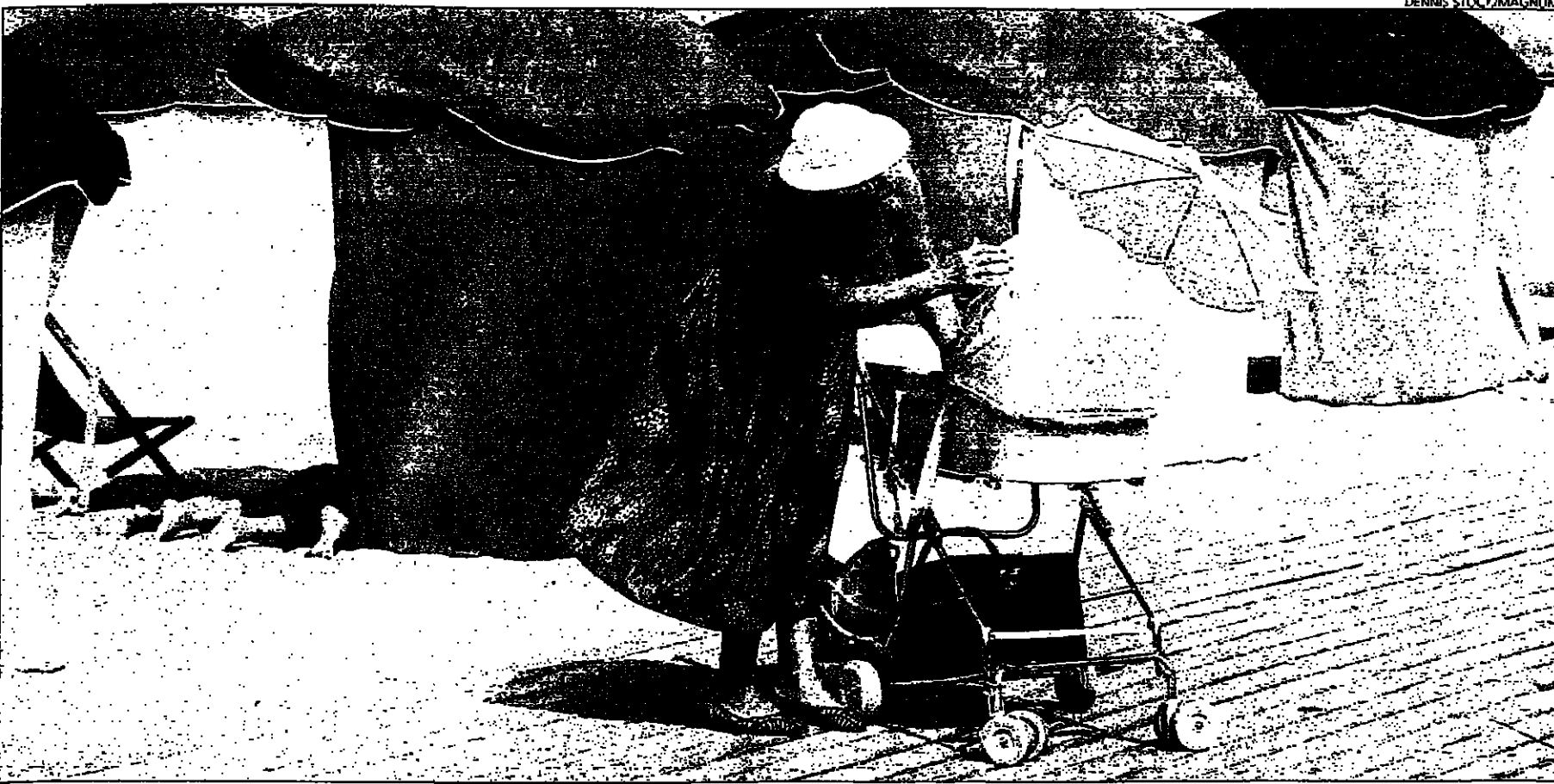
"She taught me a lesson that I failed to learn then - to wear your learning lightly - to be rock solid and keep the footnotes all there in your head."

Germaine Greer picks M.C. Bradbrook as her Best Teacher in *The TES* this Friday.

TES

THE TIMES EDUCATIONAL SUPPLEMENT
75p Every Friday

Robin Neillands begins a guide to the best French beaches with an Atlantic-coast tour starting at Calais



Once more unto the beach: Deauville, where racehorses or polo ponies enjoy their early morning gallops and the very smart set take shelter in celebrity beach huts

With an ocean, a sea and a Channel coast to play with, France is naturally well endowed with beaches. They come in every shape and kind, and often with a range of attractions. All but the most secluded beach will have swings and a club des jeunes for tots and toddlers. Restaurants, beach bars and oyster stalls are close by to prevent any fears of starvation and the range of beach and water sports gets wider as the beaches and offshore waters get cleaner. There are beaches to take the top off and beaches where they take the lot off. So which one to choose?

Along the Channel coast there are good beaches beside the ferry ports of Calais and Boulogne, popular with the local windsurfers and sand yachters, but for the really outstanding beaches you have to go further south, to resorts like Le Touquet, where the Paris smart set still put on a little colour. There is still golf in the dunes, and riding, and when the tan has been acquired there is dinner at Flavio's in the Avenue Yenger.

Moving south, the ferry and fishing port of Dieppe has a steep shingle beach that is both attractive and historic. This beach is supported by a wide promenade, the Square du Canada, a thalassotherapy centre and a line of

Best of the west

agreeable hotels. For an evening stroll the beach at Dieppe is hard to beat.

A little less crowded are the beaches of the small resorts tucked into the cliffs of the Alabaster Coast, between Dieppe and Le Havre. The most attractive is the beach at Eretat, flanked by the fantastic cliff formations of the Falaise d'Aval and the Falaise d'Amont where the sea cut and carved great arches in the rocks.

These are family resorts, places for buckets, spades and fishing nets. Deauville, on the other hand is smart; make that very smart. The morning stroll along the beach at Deauville is likely to be enlivened by the galloping of racehorses or polo ponies. After that, the very smart crowd rests under a great cloud of umbrellas or shelters in beach huts, each named after a film star or celebrity.

The beaches on the western side of the Orne river, past the port of Ouistreham, attract visitors for another reason. These are the beaches of D-Day 1944, still known by their code names, Sword and Juno and Gold. Just past the harbour of Port-en-Bessin lies the

four-mile strand of Omaha beach and half-way up the east coast of the Cotentin lies Utah beach, where holidaymakers give way to portly gentlemen in blazers and regimental ties, standing quietly in little groups before memorials to their friends.

Those who like to find out-of-the-way beaches, ideal for picnics and sunbathing need look no further than the western coast of the Cotentin, south of Cherbourg. This is the most attractive coast of Normandy and contains the harbour at Port Racine, the smallest in France.

This is the Atlantic coast and the tides are high and fast, so beach warnings should be observed. Carteret and the twin resort of Barneville have good sandy beaches and estuaries popular with yachtsmen, but my favourite beach resort here is Portbail, which lies in a small bay amid a wilderness of blue sea and sand dunes.

To the south the beaches get longer and wider around the bay of Mont St Michel and into Brittany, where there are quiet sandy beaches north of Cancale, famous for its oysters, and

around the headland to St Malo.

Wise beach-buffs will cross the mouth of the Rance to Dinard, another of those classic little resorts where the beaches lie below the cliffs, rather like Cornwall. The Breton coastline is seamed and dotted with such resorts. The beaches of the "Granit-Rose" coast around Perros-Guirec are perfect for families with small children, for every cove is flanked with red rocks to climb on and rock pools to paddle or shrimp in, and the sea goes out for miles.

For something different there is the great fine sandy beach of the Presqu'île de Quiberon, near Carnac in the Morbihan, where the sand yachts go speeding.

On down the coast, stopping to admire the fashionable strand of La Baule, and across the river to the Vendée, where the most popular beach resort is Pornichet, with sandy beaches and rocky coves and beach cafés serving seafood with Muscadet. Though for that kind of lunch I prefer to hop across the causeway to Noirmoutier.

Attractive offshore islands are one of the features of the western coast of France and of them, the Ile

d'Yeu, the Ile de Ré and the Ile d'Oleron are in easy reach of the mainland. The most popular beach hereabouts, however, is the one at Les Sables d'Olonne.

South across the Gironde estuary lies the great Dune de Pilat near Arcachon, nearly 500ft high and the tallest sand dune in Europe, which intrepid people ride up and down on in beach buggies. Pine trees and sandy beaches are a feature of the western Landes down to the fringes of the Basque country and the resort of Biarritz.

Biarritz was once a very fashionable watering hole and still has its devotees who come to stroll among the hydrangeas, and dine at Le Gallon or the Café de Paris, but most of the younger ones are more interested in the surfing, for which Biarritz provides the finest facilities and some of the biggest waves in France.

The Spanish frontier and the Pyrenees now lie ahead but there is still one more attractive beach resort before the Bidasoa, at St Jean de Luz. St Jean has a fine, curving, sandy beach and a picturesque harbour full of sunny fishing boats and good local food at Le Petit Grill Basque, in the Rue St Jacques — a good place to end this leg of the journey.

TOMORROW
The Mediterranean

Romance to the fore

FRANCE

ESSENTIAL
FRENCH:
LES SPORTS

The whole *raison d'être* of sport is to have something to talk about afterwards. Conversely, in France conversation is the most popular sport of all. If you expect to score linguistically at this time of year, fluency in a broad spectrum of games is advisable.

For centuries France and England have been battling words to and fro across the Channel. Although French has piled up a big score in the arts (*pas de deux*, *avant-garde*, *roman à clef*) and romance (*femme fatale*, *ménage à trois*, *crime passionnel*), we are well ahead on points in sports vocabulary. We have "*le football*", "*la rugby*", and "*le surf*" to our credit, while the opposition has come up with *boules*, *croquet*, and *Grand Prix*. We even offered them "*le cricket*" but it never caught on.

"*Le tennis*" should apparently be chalked up to us. French poached it from English to replace "*la paume*", ("palm", originally played without racquets — hence the "*Jeu de Paume*", where the game was played). But we derived it centuries before from "*tenet*" (take that), which is what you said to your opponent when serving (the tennis equivalent to the golfer's "*fore*"). The French counterpart to Wimbledon in the "Grand Slam" (a fusion of the two languages — in French, "*Le Grand Chelem*") is Roland Garros, where the French Open is held on *terre battue* (clay courts, literally "beaten earth") as opposed to *la pelouse* (lawn).

French has been crucial to the genesis of at least one item in the tennis lexicon, which has a deceptively romantic flavour: "love", as in "40-love". This is probably an English corruption of the French *l'oeuf* (the egg), representing 0 (similarly the cricketer's "duck" was originally "duck's egg"). At Roland Garros you won't however, hear "quarante-oeuf" but "quarante-zéro". If the next three points go to the receiver the score is not "deux" (for "deuce") i.e. requiring two points to win but "*égalité*".

A rugby-playing friend of mine got by very well in France on the strength of a few earthy vulgarities and the occasional rousing chorus of *Swing Low, Sweet Chariot*. I only played in one rugby match in France and was later informed, "*t'as joué comme un pied*" (literally, "you played like a foot"). This was not intended as a compliment though.

Rugby followers are sometimes known as "*les fanatiques du ballon ovale*" to distinguish them from "*les fanatiques du ballon rond*". Both rugby and football share a number of euphemisms for violent conduct: *viril* and *energique* are convenient, particularly when refer-

ring to the dangerous play of *Les Tricolores* (the French team). A bull that is "telegraphed" in English is "*la douche*" ("to the shower"), it is likely you are being sent off. Both English and French are indebted to sports for a plethora of metaphors e.g. *prendre la balle au bond*: literally, take the ball on the bounce; figuratively, seize an opportunity. *Attraper la balle* means to react quickly or think on your feet. "*C'est du billard*" — it's a piece of cake — and "*roule comme une bille*" — drunk. "*Les boules*" does not mean "I have the balls" (ready for a game of boules or pétanque), but rather "I'm fed up". Similarly, *tu me fais les boules* does not mean "please give me the balls" but "you get on my nerves".

Sporting metaphors are among the most fondly difficult to translate. There ought to be a prize for a decent (i.e. similarly sporty) translation of the bat on a sticky wicket, "play with a straight bat", and "hit for six".

For most of July the main topic of conversation in cafés and bars will be the Tour de France, probably the most intellectually respectable of sports. Even the semiotic Roland Barthes devoted an essay to the subject in *Mythologies*, comparing the epic cycling race to Homer's *Odyssey* and the heroic theatre of Corneille. "*Ces hommes sont des dieux*" ("these men are gods"), the remark of one *fanatique du cyclisme* as the *peloton* (the "pack") raced by, sums up the French attitude. The American Greg Le Mond used to be known derisively as "*un sauteur de roue*" (wheel-sucker) for shrewdly staying in the slipstream of the pacemaker. *La pédale* is used as a synonym for *cyclisme* (and *pédaleur* for cyclist). But take care: *être de la pédale* — homosexual (through association with *péda*, short for *pédéraste*, *Pédaler dans le choucroute* for *le yaourt*) is an expression for wasting one's time.

After "*Le Tour*" is finished you can start talking about "*Les J.O.*" (pronounced "*Géo*") i.e. *Les Jeux Olympiques*.

ANDY MARTIN

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Gentilhommières de France

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Readers booking as part of the offer will have a complimentary edition of *The Times* supplied to them by their hosts each day.

A friendly welcome in the Périgord

A few miles off the beaten track in the Dordogne valley lies Cazenac, the elegant château owned by Philippe and Armelle Constant. Part of the 16th-century facade is visible from the driveway, though most of the house was built in the 18th century. Yet only when you stroll round to the rear terrace does the château's show off its spectacular view over the river and the hills beyond.

Like the other "Gentilhommières", this is no hotel: there is no reception desk, no porter to carry the bags and hover for a tip. Here you stay with the Constants, as if with friends. They are an instantly likeable couple who bought Cazenac four years ago and have been restoring it since.

Their system is flexible: if you want to eat out, no problem. However, you might miss the chance to eat food prepared by the Constants' friend Danièle Mazet-Depuch, a renowned cook who spends part of her time as a private chef to François Mitterrand at the Elysée Palace. Evening meals are usually available at weekends and for groups.

Cazenac has four bedrooms, each distinctively different in

style and each with private bathroom. Breakfast can be taken in the magnificent high-ceilinged kitchen, and there are two dining rooms.

Guests can swim in the pool just below the terrace, play on the tennis court, take a ride in the Constants' horse-drawn trap with its two powerful Postier-Breton horses, go for picnics, or take to the air in a Cessna from a nearby aeroclub and fly over 16 of the Périgord's castles and châteaux. Or they may prefer perhaps to visit Sarlat (16 miles) or historical sites at Les Eyzies (11 miles) and Lascaux (19 miles: the original caves are closed but a remarkable facsimile is open).

The château sits in extensive grounds. Much of the land is wild, where the horses roam, but there is a field of young walnut trees with a view to future income.

The Constants, who have two young children, are happy to welcome guests for short or long stays (£90-£114 double room, bed and breakfast, before discount) and are keen to introduce them to Périgordin food and wine, even to the extent of going to local markets and teaching them how to make *terrine de foie gras*.



Cazenac: beauty at the heart of the Périgord



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To take advantage of this offer, collect three tokens from those published in *The Times*, from today until Thursday July 2. Send your three tokens with an A5 sec (value 54p first class or 41p second class) to: Château Welcome, GDF Promotion, PO Box 66, 94 Bell Street, Henley-on-Thames, Oxfordshire, RG9 1NS. Offer subject to availability.

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POSTS

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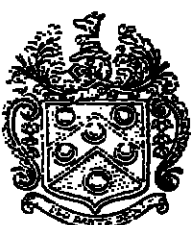
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Application forms and Job Designs are available from Mrs Mandle Spence at the address or telephone number shown below.

Closing date for all applications is Thursday 8 July 1992. Would applicants please indicate times of non-availability for interview during the Education holiday period.
Aycliffe, Centre for Children, Copeland, Newton Aycliffe, County Durham, DL5 6JB. Telephone 0325 300101

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HEAD

The governing Body invites applications for the post of Head which will become vacant in September 1993 following the retirement of Mr. Peter Attenborough after twelve years' service.

Further details and information on how to apply can be obtained from The Clerk to the Governing Body, Charterhouse, Godalming, Surrey, GU7 2DF.

Tel: 0483-426805
Fax: 0483-860449

The Closing date for applications is Friday, 18 September 1992.



HMC, Co-educational, Day & Boarding

HEAD

The Governors of Wellington School are seeking applicants for the post of Head to succeed Mr. G. Garrett MA, who will be retiring in August 1993.

Details of the post and application forms can be obtained by writing to:

The Chairman of the Governing Body
Wellington School
Wellington, Northants NN8 2BX
Closing date for applications will be 31st August 1992.

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Senior Research Fellowships are normally held until retirement age (subject to renewal by the College every seven years and the requirements of the Education Reform Act, 1988). The total endowments are comparable to those of an University professor Scale A.

Further particulars, including details of emoluments and terms of appointment, application forms, and copies of a memorandum for referees may be obtained from the Warden's Secretary, All Souls College, Oxford OX1 4AL. Applications, on the application form, should reach the Warden not later than Monday, 9th November 1992 (the envelope containing the application to be marked "Senior Research Fellowship"). Applicants are asked to ensure that references, from not more than three referees, also reach the Warden by Monday, 9th November 1992.

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EDUCATION TIMES

Central funds, local control

The government should allocate education budgets, Peter Andreae maintains

OPTING FOR WHAT



Kenneth Clarke used to say that as the education secretary he did not control any schools. It may be of greater concern to those who consider improved educational standards to be an urgent national priority that central government does not even control the amount of money spent on education.

Instead the total available for education emerges from the arcane processes of local authority budget-making. It is influenced to some extent by the environment department's standard spending assessments (SSA) and is calculated in competition with other pressing local authority priorities. It is also liable to become a target for high-profile cuts for councillors threatened with charge-capping. Furthermore, the very wide disparities in per-pupil funding figures, ranging from £2,833 in Brent to £1,737 in Solihull, seem to bear little relation to the quality of education provided.

Recent experiments in new systems of local authority taxation have been designed to achieve a greater sense of fairness and to sharpen local authority accountability.

Low-spending councils may indeed get local credit for good financial management and their below-average demands on local residents. However, for high-spending councils, the well known gearing effect, whereby all spending above SSA falls on local tax payers, will continue to work with particular force. Experience with the community charge suggests that, where SSAs have been exceeded to the point of capping, central government is as likely to be



blamed by local residents as extravagant councillors, even though central government grants may be relatively higher for these authorities. At the same time these may be the authorities with inner-city problems and below-average educational standards.

When the debate on the community charge was at its height, concern was expressed over the size of the likely per capita payment by local residents. Michael Mates MP suggested that teachers' pay should be taken out of local authority expenditure. This would have reduced local authority spending by £8.5bn in 1991/92 or by 22 per cent, thereby making possible a significant reduction in the community charge per head or improving local accountability by raising the proportion of spending covered by local contributions. There were practical objections, not least that it would have undermined the proposals for greater local management in schools.

A more promising variation on Mr Mates's scheme is for central government to fund schools on a per-pupil formula, using local education authorities (LEAs) as funding councils. With local management in schools and delegated budgets becoming the norm, this is to a large extent the present role of LEAs.

Direct funding by central government, however, on a publicly announced per-pupil basis, with possible adjustments for areas where educational standards were below average, would for the first time give central government real power to target resources. At the same time, by providing resources on a per-pupil basis, central government would avoid any direct involvement in the day-to-day management of schools. The focus on pupil numbers would also encourage a degree of competition between schools.

Even if per-pupil funding were taken out of local authority budgets, LEAs would be left with control over 20 per cent of the total education budget. LEA and councillor involvement with schools would continue in the vital areas of strategic planning, notably the provision of new schools and decisions on closures, broad admissions policy, capital improvements, special needs, careers service, discretionary grants and transport. LEAs would also need to retain a landlord role over all the educational built estate, although, as recent experience with local management of schools (LMS) has shown, schools will keep a high degree of control over their fabric and sites.

In cash terms, the allocation of limited capital resources to thousands of competing schools is the critical organisational challenge and is liable to overwhelm civil servants attached to funding councils. Central government's record of property management has not been very impressive. Very large sums of money can be wasted on ill-judged projects and badly managed maintenance programmes run from the centre, whereas considerable economies of scale can be achieved from the proper management of a sizable built estate by LEAs familiar with the terrain.

The looser relationship now developing between LEAs and schools under LMS would enable local authority officers and elected councillors to contribute a local feel to the education service in a responsive, flexible and cost-effective way, without any need to "muddle" with the activities in the classroom. It is suggested, therefore, that local authority SSAs should provide for building maintenance to schools and other central services provided by LEAs and that capital spending could continue to be treated as at present. The education department could set up an appeals procedure to handle cases where irreconcilable differences arose between LEAs and governing bodies.

If per-pupil funding for schools (including the post-16 sector) were paid for by central government, using LEAs as funding councils, central government would gain direct control over 80 per cent of education funding, and local authority spending in England would be reduced by the equivalent of about £14 billion in 1991/92 or 35 per cent of total expenditure, thus also sharpening local authority accountability.

Central government could for the first time target resources to areas with below-average education standards and local councillors would effectively lose their present power to impose cuts on education spending in the classroom in their attempts to stay below their SSA ceilings. A vital and continuing role for LEAs is desirable in the strategic planning of local educational provision and they might continue to control some 20 per cent of the education budget. Because central government's involvement would be mainly limited to the decision on the per-pupil funding figures, the maximum degree of local autonomy and management flexibility would be achieved compatible with effective central control over by far the greater part of funding.

The author, a Conservative county councillor in Hampshire, is expressing a personal view

Take a breath and sing

The British are in danger losing their culture of song. Does the karaoke machine represent the last, best hope?

THE aim of yesterday's National Music Day, according to its chief begetter, former arts minister Timothy Renton, was to "blow our trumpets as a nation". I hope, too, that it encouraged some collective exercising of our vocal chords.

Singing of every kind is in serious decline in Britain. Choral societies and amateur operatic groups are folding through lack of members, schools are finding it hard to raise choirs, and many church congregations are struggling to raise their voices with any great gusto, as the recent report of the archbishops' commission on church music showed.

You are likely to get thrown out of a pub if you try and start a singsong while attempts to relieve the tedium of a long car or coach journey with traditional standards like "Clementine". "One man went to mow" and "Yellow Submarine" will be met with embarrassed stares and stony silence.

In the United States, in contrast, glee clubs are still a popular feature of college life and American students on exchange visits here often have a much wider repertoire of traditional British songs than most natives. In the rest of Europe national and regional folk-songs are taught in school and sung with unconscious pride at weddings, in bars and at open-air festivals.

The rich corpus of national and regional songs which we are now in danger of losing in the British Isles constitutes an important part of our cultural heritage which can help to give cohesion and roots to our increasingly fragmented and disjointed society.

Within those areas where a distinct culture still survives, the tradition of community singing is still very much alive. The

National Gaelic Mod and the Welsh Eisteddfod are still important events which attract entrants of every age group.

Much of the blame for the decline in singing in the rest of the country rests with schools and education authorities. Children emerge from school with hands-on experience of the recorder, glockenspiel and electronic keyboard but with no taste for singing and little if any knowledge of the traditional songs of their nation or region.

Maybe Gilbert and Sullivan started the rot with those nasty remarks about the fate of amateur tenors in *The Mikado* and people who sing choruses in public in *Ruddigore*. If so, they have paid a heavy price. Gone are the days when their works provided the introduction for thousands of children to the pleasures of singing and appreciating choral music and opera.

Teachers who do try to get children singing say that it is almost impossible. Excuses proliferate, ranging from the ubiquitous "My voice is breaking" to the original "I can't sing, sir, I'm a Catholic", reported to me recently by a teacher in Dundee.

Maybe the karaoke machine will help to bring unused vocal chords back to life and reverse the passivity of so much modern mass entertainment. One of the great glories of the music hall was that it provided a fund of useful choruses that could be picked up and hummed, whistled and sung around the streets. This tradition survived until the mid-1970s in television programmes like the much-maligned *Black and White Minstrel Show*. Now even Radio 2 seems to be playing fewer and fewer singable songs.

Jon Bradley is the author of *The Penguin Book of Hymns and The Annotated Gilbert and Sullivan*

VIEWPOINT

IAN BRADLEY



Statements do not add up

Provision for special educational needs is based on suspect arithmetic

THIS week's report by the Audit Commission on provision for pupils with special educational needs presents some alarming findings about special education nationally. In considering the report's findings, it is worthwhile to look back at the Warnock Committee's report of 1978 on special educational needs which spawned the Education Act 1981, which incorporated many of the committee's recommendations.

Since the act's introduction in 1983, elements of Warnock's findings which were not included have, nevertheless, been used by the Department for Education and local education authorities (LEAs) as the basis for guidance, policies, budgeting and other responses to the problems of special education. Critical among Warnock's conclusions is the estimate that per cent of children would have what has since become known as a statement of special educational need.

The 2 per cent figure has been used by LEAs at best as a guideline and at worst as a ceiling for the issue of statements. A special needs consultation document recently produced by Devon LEA illustrates this practice in operation.

The document says that "there is concern about the high percentage of pupils with statements in Devon" and suggests that "the number of statements for specific learning difficulties is unacceptably high". Indeed, the report says, "in Devon in 1983 no Devon pupils had statements for spe-



Lucky one: many pupils suffer because help is limited

cific learning difficulties — there are now more than 830 statements in mainstream schools and the number is rising by 7 per cent a year". The county's review of its special education which resulted in its consultation document seems to have been triggered by the rise in the number of statements in the county from 2.2 per cent of the school population in 1985 to 3.3 per cent in 1991. The increase in the number of statements for specific learning difficulties, or dyslexia, is the most likely cause. The claim that the "magic 2 per cent" is seen as a ceiling for

statement numbers might fairly be challenged if the 2 per cent did, in fact, represent reality and was a soundly based estimate. The unnatural clustering of the percentages around 2 per cent in LEAs across the country, as borne out by the Audit Commission's report, casts doubt on that figure.

In other words, simply because most LEAs have 2 per cent of their children stated does not mean that there are no more who should be stated. Two per cent is merely the maximum number of statements that many LEAs will allow.

However, what is of greater significance is the basis upon which the 2 per cent was arrived at by Warnock. If the three elements of that basis are examined, its validity becomes very doubtful indeed.

Firstly, the data used in the late 1970s reflects only the situation which existed at that time, that is, the extent to which LEAs were offering help to children with learning difficulties.

Secondly, by the same token, the figures provided to Warnock by LEAs at the time merely reflect the level of provision available then.

Finally, and of greatest significance, the categories of children included in the data were, to a very great extent, a reflection of the learning difficulties accepted to exist at that time. Ten categories were listed in the amended Handicapped Pupils and Special Schools Regulations 1959 and that list did not include dyslexia.

That is not to say that some forms of "specific learning difficulty" were not recognised but it does mean that significant numbers of pupils were excluded. Add to that the growing awareness of dyslexia over the past 20 years and the validity of the 2 per cent figure evaporates.

It is commonly accepted that 10 per cent of children are affected by dyslexia to a greater or lesser degree and a fifth of those are affected enough to justify a statement. On this basis, the estimate for the proportion of statements for all difficulties must now rise to at least 4 per cent of all school children.

The matter will not be resolved until a realistic survey is carried out to establish accurately the size of the problem.

While improvements in the legislation along the lines proposed by the Audit Commission will be welcomed, they will be largely ineffective while LEAs continue to be allowed to flout the present laws with impunity.

The education department must carry the greatest degree of responsibility for its complacency and lack of policing and enforcement of the relevant legislation.

PETER THURLOW
The author is vice-chairman of the Special Education Advice Line

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TWO CAREERS FAIRS IN ONE

DIRECTIONS Week '92, which is supported by *The Sunday Times* and runs at the Business Design Centre, Islington, London, from tomorrow to Saturday, will combine two fairs this year. The first, the London Graduate Recruitment Fair from tomorrow to Thursday, is organised by London University's careers advisory service. The fair will offer guidance for all new graduates on jobs and post-graduate courses. More than 100 exhibitors are

already booked and there will be a European pavilion. The second, the Schools' Fair, on Friday and Saturday, is for school leavers going into higher education or employment and will provide counselling on degree choice, university and vocational training programmes. Seminars and workshops will enable all students to meet representatives from business and college.

● Hotline: Schools' Fair 071-742 0572. London Graduate Recruitment Fair 0800 252183.

Law enforcement injunctions need no undertaking

Kirklees Borough Council v Wickes Building Supplies Ltd
Before Lord Keith of Kitchener, Lord Auld, Lord Goff of Chieveley, Lord Jauncey, Lord Mustill and Lord Lloyd.

[Speeches June 25]

The court's decision whether or not to require an undertaking in damages in law enforcement actions was not confined to the Crown and applied to other public authorities exercising the function of law enforcement in the circumstances of *Hoffmann-La Roche v Secretary of State for Trade and Industry* [1975] AC 295.

The House of Lords held in allowing an appeal by Kirklees Borough Council against a decision of the Court of Appeal (Lord Justice Dillon, Lord Justice Mann and Lord Justice Beldam) [1991] 3 WLR 985 that the council was required to give a cross-undertaking in damages as a condition of the grant of an interlocutory injunction to restrain the respondents, Wickes Building Supplies Ltd, from trading on Sundays in breach of section 47 of the Shops Act 1950.

The House restored the order of Mr Justice Mervyn Davies granting an injunction without requiring the council to give a cross-undertaking (The Times June 1, 1991; [1991] 3 WLR 985) that the council was required to give a cross-undertaking in damages as a condition of the grant of an interlocutory injunction to restrain the respondents, Wickes Building Supplies Ltd, from trading on Sundays in breach of section 47 of the Shops Act 1950.

Section 7(1) of the 1950 Act provides: "It shall be the duty of every local authority to enforce within their district the provisions of this Act and of the orders made under those provisions, and for that purpose to institute and carry on such proceedings in respect of contraventions of the said provisions and such orders as are necessary to secure observance of them."

Section 22(2) of the 1972 Act provides: "(1) Where a local authority consider it expedient for the promotion or protection of the interests of the inhabitants of their area - (a) they may prosecute or defend or appear in any legal proceedings and, in the case of civil proceedings, may institute them in their own name..."

Mr Stuart Isaac, QC, Mr Timothy Straker and Mr Neil Calver for the council; Mr Andrew Collins, QC and Mr Paul Lasok for Wickes; Mr Stephen Richards and Mr Nicholas Paines for the Attorney-General, intervening.

LORD GOFF said that on the face of the two statutory provisions, it appeared that proceedings in its own name by way of injunction were open to a local authority in order to secure observance of section 47 of the Shops Act. His Lordship was unable to

accept the argument that since, at the date of the Shops Act 1950, the only proceedings which the local authority could then have instituted to enforce the law against Sunday trading were criminal proceedings, section 7(1) should be read as limited to such proceedings.

Section 7(1) was in very broad terms and it was well capable of embracing any proceeding necessary to secure observance of the Act, including civil proceedings for an injunction which authorities were subsequently empowered to commence in their own name see *R v Brentnall DC, Ex parte Willingham* (1982) 81 LGR 700 cited with approval by Lord Roskill and Lord Templeman in *Stoke-on-Trent City Council v B & Q (Retail Ltd)* [1976] 1 WLR 1399, [1976] 1 All ER 1008.

It was submitted by Mr Collins that it was a specific prerequisite of the exercise of the jurisdiction to grant an injunction to restrain an infringement of the criminal law that the defendant plainly had no defence to a criminal prosecution.

No doubt in practice that was usually the case. Sometimes, indeed, the injunction would be sought following a series of convictions for an offence which carried a financial penalty so small that it did not deter further infringement.

Further, as the present case showed, the introduction of a possible Community law defence might transform the situation. It would be startling if the mere fact that the defendant invoked a Community law defence, with sufficient substance, but no more, to escape rejection under the narrowly drawn principle of *acte clair* should be capable of itself of excluding that useful jurisdiction, thus providing encouragement to those seeking to profit from law breaking activities to adopt that method of prolonging what may prove to be a source of illicit profit.

However, his Lordship was unable to accept Mr Collins' submission. He knew of no authority which suggested it. There were cases in which an interlocutory injunction had been granted despite the fact that the defendant was raising a defence to the alleged crime: see *Portsmouth City Council v Richards* (The Times November 21, 1988; [1988] 1 CMLR 673) and *City of London Corporation v Bovis Construction Ltd* (The Times April 21, 1988; [1988] 86 LGR 660).

The power to grant injunctions, which now arose under section 37 of the Supreme Court Act 1981, was a discretionary power which should not be a matter of principle to be fettered by rules.

The existence of an alleged defence was a matter to be taken into account in the exercise of the court's discretion when deciding whether it was just and convenient

that interlocutory relief should be granted.

Turning next to the undertaking in damages which lay at the heart of the present appeal, his Lordship first considered the point under English domestic law. That depended upon a proper understanding of the decision in *Hoffmann-La Roche*.

The question whether the Crown was required to give such an undertaking was considered in depth in that case.

It was decided, first, that in actions brought by the Crown to enforce or protect its proprietary or contractual rights it should be in no different position from the ordinary citizen and so should be required to give an undertaking in the usual way.

But, second, it was held that different principles applied in cases where the Crown brought a law enforcement action, in which an injunction was sought to restrain a subject from breaking a law where the breach would be harmful to the public or a section of it.

Lord Diplock drew a distinction between two types of proceedings. The first was a *relator* action in which, once the Attorney-General's consent had been obtained, the relator stood in the shoes of the plaintiff in an ordinary suit between subject and subject, and an undertaking in damages was required from the relator but not from the Attorney-General.

The second was a law enforcement action brought by the Crown; he referred in particular to such an action brought under a statute which provided expressly for enforcement of a provision of the statute by civil proceedings by the Crown, which was the position in *Hoffmann-La Roche*.

In that case the House was concerned only with the position of the Crown in law enforcement actions. It was not concerned with the position of local authorities which had the function of enforcing the law in their districts in the public interest.

Whether the same principle should be held to apply in the case of public authorities other than the Crown charged with the enforcement of the law fell to be decided in the present case.

The majority of the Court of Appeal concluded that the same principle should not apply in the case of such public authorities.

His Lordship did not find the reasoning of the Court of Appeal persuasive. The main difficulty was that it reduced the principle enunciated in *Hoffmann-La Roche* to the status of an arbitrary rule which Lord Justice Dillon had called "a privilege of the Crown".

Yet his Lordship did not read the speeches in *Hoffmann-La Roche* as conferring a privilege on the

Crown in law enforcement proceedings. On the contrary he read them as disavowing an old Crown privilege and substituting for it a principle upon which, in certain limited circumstances, the court had a discretion whether or not to require an undertaking in damages from the Crown as law enforcer.

The principle appeared to relate not to the Crown as such but to the Crown when performing a particular function.

It was true that in all the speeches in that case attention was focused upon the position of the Crown for the obvious reason that it was the position of the Crown which was in issue in that case.

But the considerations which persuaded the House to hold that there was a discretion whether or not to require an undertaking in damages from the Crown in a law enforcement action were equally applicable to cases in which some other public authority was charged with the enforcement of the law.

In the circumstances, it was difficult to understand why the same principle should not, in similar circumstances, apply to other public authorities when exercising the function of law enforcer in the public interest.

In those circumstances his Lordship could see no material distinction between the council in the present case and the Crown in the *Hoffmann-La Roche* case.

It would be an extraordinary situation if a local authority, acting under a statutory duty, was required to give an undertaking in damages whereas the Crown was not.

The essential question was whether the court's discretion to require an undertaking in damages was confined to cases in which the Crown was plaintiff or should be held to apply to other public authorities exercising the function of law enforcement in the circumstances specified in the *Hoffmann-La Roche* case. In his Lordship's opinion it should be held so to apply.

It followed that apart from the question of the impact of Community law such was the discretion which the courts should have exercised in the present case.

So far as was relevant to the purposes of the present appeal, his Lordship did not consider that much weight could be attached to the argument of Wickes that section 47 was inconsistent with article 30 of the EEC Treaty.

The majority of the Court of Appeal had concluded that the mere fact that Wickes might be able to advance such an argument founded upon article 30, which was at least not a groundless argument, compelled the Court of Appeal to require an undertaking in damages from the council.

In so holding the court relied in particular upon the decision of the European Court of Justice in *Case C-6/90, *Amministrazione delle Finanze dello Stato v Simmenthal SpA** [1991] ECR I-629.

That decision, although obliquely of great importance was not concerned with the terms upon which interim relief in the form of an interlocutory injunction should be granted.

It was submitted by Mr Collins that the function of the undertaking in damages required of the council by the court was to protect the right of Wickes which flowed from the direct effect of article 30, in the event of the European Court of Justice holding, on the reference to it of *Stoke-on-Trent City Council v B & Q plc* [1991] 1 WLR 1399, [1991] 1 All ER 1008, that section 47 of the Shops Act was invalid because it was inconsistent with article 30.

Accordingly, such an undertaking was required to give immediate effect to Community law.

However, that submission, which was accepted by the Court of Appeal, appeared to be misconceived.

In *Bourgois SA v Ministry of Agriculture Fisheries and Food* (The Times August 3, 1985; [1985] 1 All ER 1008) the House of Lords held that the court should not grant an injunction to restrain a breach of article 30 of the EEC Treaty unless it was satisfied that the breach was imminent and that the court's order would be effective to prevent it.

However, since the decision of the European Court of Justice in *Case C-9/90, *Francovich v Republic of Italy** (The Times November 20, 1991; [1991] 1 All ER 991), there must now be doubt whether *Bourgois* was correctly decided.

Having regard to *Francovich* it was right in the present case the House should proceed on the basis that, on the reference to it in the *Stoke-on-Trent* case the European Court of Justice should hold that section 47 was invalid as being in conflict with article 30, the UK might be obliged to make good damages caused to individuals by the breach of article 30 for which it was responsible.

It did not follow that, in the present case, the council should be obliged to give an undertaking in damages as a condition of the grant of an injunction restraining Wickes from acting in breach of section 47.

That was because the obligation, if any, on the UK to make good any damage suffered by Wickes would arise irrespective of any undertaking in damages given by the council. In the circumstances such an undertaking would be superfluous.

There were two other subsidiary matters which reinforced the conclusion that the council should not be required to give such an undertaking.

The first was that the effect of such an undertaking would be to impose an obligation on the council to indemnify Wickes against damage suffered by it in the event of section 47 being held to be invalid as inconsistent with article 30, irrespective of whether in such circumstances Wickes had a right to such damages; that is, irrespective of whether *Bourgois* was wrongly decided.

In other words that question was pre-empted by the requirement of such an undertaking from the council.

The second was that if, following *Francovich* there was held to be a right to damages in such circumstances the effect of requiring an undertaking from the council would be to impose liability in damages on the council instead of on the UK which would properly be the party liable.

If so it would be wrong that the council, because it had performed its statutory duty under national law to enforce section 47, was to find itself under a liability in damages as a result of performing that duty.

For those reasons Wickes' argument that the council should be required to give an undertaking in damages had no justification in Community law.

It followed that the judge had been right to decide the question on the ordinary principles of English law.

Of course, having regard to the validity of Wickes' challenge to the section 47, the grant of an interlocutory injunction was fully justified on the principles stated by the House in *R v Secretary of State for Transport, Ex parte Factortame Ltd (No 2)* (The Times October 12, 1990; [1991] 1 AC 61).

It was also correct to hold that it was a matter within his discretion to decide whether or not to require the local authority to give an undertaking in damages.

In so deciding he had to take into account the fact that it was plain that Wickes would, unless restrained, continue to act in contravention of section 47 and that in practical terms proceedings by way of injunction were the only means open to the council to perform its duty to enforce the provisions of section 47.

His Lordship was unable to accept the submission by Wickes that it was an appropriate case for a reference to the European Court of Justice on the issue that Community law required an undertaking in damages.

Lord Keith, Lord Auld, Lord Jauncey and Lord Lloyd agreed.

Solicitors: Sharpe Pritchard for Mr M. R. G. Vause, Huddersfield; Metcalfe Copeman & Pate for Mr. P. R. G. Vause, Huddersfield.

Power to hear appeal in insolvency

Lawrence v European Credit Co Ltd and Another
Before Sir Donald Nicholls, Vice-Chancellor and Sir Michael Kerr (Judgment June 22)

Section 375(2) of the Insolvency Act 1986 did not implicitly exclude the appellate jurisdiction conferred on the Court of Appeal by section 16 of the Supreme Court Act 1981.

The Court of Appeal thus had jurisdiction to entertain an appeal from the refusal of a High Court judge to extend time for appealing to him against a bankruptcy order.

The Court of Appeal so held when rejecting a preliminary objection to jurisdiction raised by the respondents, European Credit Co Ltd and the Official Receiver, on an appeal by Marilyn Lawrence against Mr Justice Hoffmann's refusal on November 22, 1989 to grant her an extension of time to appeal against a bankruptcy order made by the registrar in bankruptcy.

Mr Peter Jennings for the appellant; Mr Mark Cannon for the respondents.

THE VICE-CHANCELLOR said that section 375 of the 1986 Act provided: "(2) An appeal from a decision made ... by a county court or by a registrar in bankruptcy of the High Court lies to a single judge of the High Court; and an appeal from a decision of that judge on such an appeal lies, with the leave of the judge or of the Court of Appeal, to the Court of Appeal."

The respondents contended that the judge's refusal to permit an extension of time was not "a decision of that judge on such an appeal" and accordingly that there was no provision for an appeal to the Court of Appeal. They relied on *Podbery v Peak* [1981] Ch 344.

In that case the Court of Appeal had to construe section 108 of the Bankruptcy Act 1914, the material words of which were: "(2) ... The decision of the Divisional Court upon any such appeal shall be final and conclusive, unless in any case the Divisional Court or the Court of Appeal see fit to give special leave to appeal therefrom to the Court of Appeal, whose decision in such cases shall be final and conclusive."

The court held that refusal to permit an appeal out of time was not a decision of the Divisional Court upon an appeal from the county court.

It was to be observed that in *Richards v Richards* [1980] Fam 104, 1980 Lord Donaldson of Lynton, Master of the Rolls, had said of that case: "This case, heard, rightly as I think, that the order refusing an extension of time could not be regarded as one made on a bankruptcy or any other appeal from the county court, because the refusal of an extension of time prevented any such appeal coming into existence."

The appellant relied on the jurisdiction conferred on the Court of Appeal by section 16 of the Supreme Court Act 1981. Subject as otherwise provided by this or any other Act, the Court of Appeal shall have jurisdiction to hear and determine appeals from any judgment or order of the High Court.

Counsel pointed to the decision in *Richards v Richards* and submitted that it was authority for the proposition that a refusal by a judge to extend time for an appeal to him was a judgment or order that was an appeal from the county court.

The material part of section 77 of the County Courts Act 1984 read: "(1) If any party to any proceedings in a county court is dissatisfied with the determination of the judge, he may appeal from it to the Court of Appeal."

What was submitted, rightly in his Lordship's view, was that the reasoning of the Court of Appeal in *Richards v Richards* was equally applicable to section 16 of the 1981 Act.

What was said by the respondents was that section 375(2) of the 1986 Act implicitly excluded rights under section 16 of the 1981 Act.

That point was not argued in either *Podbery v Peak* or *Richards v Richards* and was therefore open to his Lordship to be persuaded by it. He could not believe that section 375(2) intended implicitly to cut down any right of appeal otherwise available. He saw no compelling reasons why the two jurisdictions should not co-exist.

Section 16(1) of the 1981 Act began "Subject as otherwise provided..." Section 375(2) could not be read as implicitly containing a contrary provision.

His Lordship was satisfied that the court had jurisdiction to entertain the appeal.

Sir Michael Kerr delivered a concurring judgment. Solicitors: Desmond Pyc Partnership, New Cross; Alsop Wilkinson.

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